READINGS ON THE ECONOMY, POLITY AND SOCIETY

Orient BlackSwan

Edited by
INDRA MUNSHI

The Adivasi Question

Issues of Land, Forest and Livelihood

Essays from Economic and Political Weekly

SHOUT
SHARE
IT

Depletion and destruction of forests have eroded the already fragile survival base of adivasis across the country. Deprived of their traditional livelihoods, an alarmingly large number of adivasis have been displaced to make way for development projects. Many have been forced to migrate to other rural areas, the urban fringes or cities in search of work, leading to further alienation.

This systematic alienation, however, is not a modern-day phenomenon. Invasion of adivasi territories, for the most part, commenced during the colonial era and later intensified during the post-colonial period. *The Adivasi Question* situates the issues concerning the adivasis in a historical context while discussing the challenges they face today.

The introduction examines how the loss of land and livelihood began under the British administration. The British brought tribal land under their control and weaned the adivasis away from shifting cultivation. It analyses how the colonial government forced a section of the adivasis to take up cultivation on lower rates of assessment, thereby making them dependent on the landlord-moneylender-trader nexus for their survival.

The articles, drawn from writings of almost four decades, discuss questions of community rights and ownership,

Continued on back flap

The Adivasi Question

Readings on the Economy, Polity and Society

This series is being published as part of a University Grants Commission project to promote teaching and research in the social sciences in India. The project (2010–12) has been jointly executed by the Tata Institute of Social Sciences, Mumbai, and the *Economic and Political Weekly*. The series is meant to introduce university students and research scholars to important research that has been published in *EPW* in specific areas. The journal has, over the decades, published a large number of research papers in all the social sciences. The readers draw on this archive of *EPW*'s published articles. The titles—in economics, politics, sociology and the environment—reflect *EPW*'s strengths as well as the interests of the academic community. Each set of readings is compiled by a senior academic who has also written an introductory essay for the volume. TISS and *EPW* are grateful to the authors of the articles included here for permission to reprint them.

Published

Economic Reforms and Growth in India, ed. **Pulapre Balakrishnan**

Environment, Technology and Development: Critical and Subversive Essays, ed. **Rohan D'Souza**

Village Society, ed. **Surinder S. Jodhka**

Forthcoming titles

Women and Work, ed. **Padmini Swaminathan**

Decentralisation and Local Governments: The Indian Experience, ed. **T. Raghunandan**

The Adivasi Question

Issues of Land, Forest and Livelihood

Edited by

INDRA MUNSHI

EPW

Orient BlackSwan

TATA INSTITUTE OF SOCIAL SCIENCES

Purchased:
Approval : ES
Gratis :
Acc No . 635500
Price .
Rs 750/-
Narayan Rao Marg
National Law I
Bangalore

The Adivasi Question

ORIENT BLACKSWAN PRIVATE LIMITED

Registered Office
3-6-752 Himayatnagar, Hyderabad 500 029 (A.P.), India
e-mail: centraloffice@orientblackswan.com

Other Offices
Bangalore, Bhopal, Bhubaneshwar, Chennai,
Ernakulam, Guwahati, Hyderabad, Jaipur, Kolkata,
Lucknow, Mumbai, New Delhi, Noida, Patna

© Orient Blackswan Private Limited and *Economic and Political Weekly* 2012
First Published 2012

ISBN 978 81 250 4716 2

Typeset by
Le Studio Graphique, Gurgaon 122 001
in Adobe Garamond Pro 10.5/12.5

Printed at
B.B. Press
Noida

Published by
Orient Blackswan Private Limited
1/24 Asaf Ali Road
New Delhi 110 002
e-mail: delhi@orientblackswan.com

Contents

List of Tables and Figures *ix*

Introduction 1
Indra Munshi

Section I

Regulations and Resistance,
Adivasi Communities in the Colonial Context

1. Forestry in British and Post-British India 25
A Historical Analysis
Ramachandra Guha

2. State 'Simplification' 59
Garo Protest in Late Nineteenth and
Early Twentieth Century Assam
Sanjeeva Kumar

3. Peasantisation of Adivasis in Thane District 75
Ashok K. Upadhyaya

Section II

Loss of Land, Loss of Nerve

4. Alienation of Tribal Lands in Tamil Nadu 99
Panel Data Analysis
E. Selvarajan

5. Displacement from Land 117
Case of Santhal Parganas
Nitya Rao

6. Land Distribution among Scheduled Castes and Tribes 125
B. B. Mohanty

7. Land Reforms 152
Turning the Clock Back
Brian Lobo

8. Illegal Acquisition in Tribal Areas 159
K. Balagopal

Section III

Forest Degradation and Forest Communities

9. Forest Degradation, Changing Workforce Structure and Population Redistribution 169
The Case of Birhors in Jharkhand
Sohel Firdos

10. Deforestation in Andaman and Nicobar 182
Its Impact on Onge
Pankaj Sekhsaria

11. Women and Forests 195
DN

Section IV

Conservation vs Community Rights

12. Repopulating the Landscape 205
Space against Place in Narmada Valley
Judy Whitehead

13. *Gajah* and *Praja* 222
Conservation, Control and Conflicts
Sagari R. Ramdas

14. Resolving People-Sanctuary Conflict in Protected Areas 229
Kushiara Village, Mirzapur
Neela Mukherjee

Section V

Displacement and Rehabilitation: Role of the State

15. Displacement due to Mining in Jharkhand 239
Mathew Areeparampil

16. Displacement and Rehabilitation of an Adivasi Settlement 251
Case of Kuno Wildlife Sanctuary, Madhya Pradesh
Asmita Kabra

17. Sardar Sarovar Oustees 264
Coping with Displacement
Renu Modi

Section VI

Forest Rights Act: A Step Forward

18. Issues Related to Implementation of the Forest Rights Act in Andhra Pradesh 275
M. Gopinath Reddy, K. Anil Kumar, P. Trinadha Rao, and Oliver Springate-Baginski

19. Scheduled Tribes Bill, 2005 293
Indra Munshi

20. Implementation of the Forest Rights Act in the Western Ghats Region of Kerala 299
Jyothis Sathyapalan

21. Fire in the Forest 318
Mahesh Rangarajan

22. Empowering Gram Sabhas to Manage Biodiversity 324
The Science Agenda
Madhav Gadgil

Section VII

Resource Management: By Whom and for Whom

23. Civilisational Change 337
Markets and Privatisation among Indigenous Peoples
Dev Nathan and Govind Kelkar

24. Behroonguda 368
A Rare Success Story in Joint Forest Management
EMMANUEL D'SILVA AND B. NAGNATH

25. Fate of the Forest 385
Conservation and Tribal Rights
AMITA BAVISKAR

List of Authors 407

Tables and Figures

Tables

1.1	Railway Expansion in India, 1853–1910	29
1.2	Revenue and Surplus of Forest Department, 1869–1925	31
1.3	India's Forests and the Second World War	34
1.4	Estimated Figures of Roundwood Production in India, 1966–77 (million cubic metres)	36
1.5	Official Figures of Roundwood Production in Selected Years (million cubic metres)	40
1.6	Tribals and MFP Exploitation	43
1.7	Average Forest Revenue and Surplus since 1947, Selected Years	45
3.1	Distribution of Khatedars in Thane District (1878–79)	81
3.2	Land Held by Agriculturists and Non-Agriculturists in Northern Division of Bombay Presidency (1913–14) (Acre)	87
3.3	Distribution of Agricultural Population in Thane District (1921)	88
3.4	Landholdings in Thane District by Size Class, 1936–37	91
4.1	Tribes of Tamil Nadu	101
4.2	Districtwise Tribal Population in Tamil Nadu	102
4.3	Sample Population of Two Studies	105
4.4	Extent of Alienation of Tribal Lands by Districts in Tamil Nadu	105
4.5	Causes of Land Alienation during 1989	107
4.6	Causes of Land Alienation during 1998	108
4.7	Forms of Land Alienation by Districts, 1989	110
4.8	Forms of Land Alienation by Districts, 1998	110
4.9	Agents of Alienation, 1989	112
4.10	Agents of Alienation, 1998	112
5.1	Land Distribution in Dumka Subdivision, Dumka District, 1998–99	122
6.1	Agrarian Legislation for Protection and Promotion of Land Rights of Scheduled Castes and Scheduled Tribes	130
6.2	Information on Alienation and Restoration of Tribal Lands (as of November, 1999)	134
6.3	Ceiling Limits on Landholdings (in hectares)	136

6.4	Progress in Implementation of Ceiling Laws (as of March, 1996)	136
6.5	Distribution of Scheduled Castes and Scheduled Tribes Population	138
6.6	Reasonwise Area Not Available for Distribution (as of March, 1996)	139
6.7	Allotment of Bhoodan Land	139
6.8	Distribution of Operational Holdings among Scheduled Castes and Scheduled Tribes	141
6.9	Movements, Legislative Measures and Atrocities on Scheduled Groups	146
9.1	Area under Forest, 1999	171
9.2	Distribution of Forest Area by Village and Population	172
9.3	Distribution of Birhor Workers by Industrial Categories in Jharkhand	173
9.4	Districtwise Distribution of Birhor Workers by Industrial Category	174
9.5	Population of Birhors	178
9.6	Annual Exponential Growth Rate of Birhor Population	179
10.1	Population Figures	186
10.2	Annual Extraction of Timber in the A and N Islands	186
12.1	Bhil, Tadvi and Vassawa Kinship Terminology Compared with Gujarati Kinship	214
14.1	Estimates on Return from Crops	234
16.1	Break-Up of Expenditure under Land Development Head	254
16.2	The BoTD Package Offered	255
18.1	Summary Timeline of FRA-Related Developments	281
18.2	FRC Formation Meeting at Study Villages	285
20.1	Distribution of Sample Households across Forest Circles	301
20.2	Details of Claims of Land Received under FRA	305
20.3	Characteristics of Western Ghats Region, Kerala	307
20.4	Communitywise Main Occupation of ST Population in Kerala	312
20.5	Distribution of Tribal Settlements and Families in Protected Areas	315
22.1	Operation of MSY in comparison with Folk System	325
24.1	Local Preferences for Tree Species in Behroonguda	372
24.2	Treated vs Untreated Areas: Tree Stock and Seedlings (Total number per hectare)	372
24.3	Gains from Non-Timber Products for the Behroonguda People, 1998	373
24.4	Social Composition of the Behroonguda Hamlets	374
24.5	Annual Family Income in Behroonguda, 1998	375
24.6	Financial Value of Behroonguda Forests, 1998	376

24.7 Costs of Protecting and Managing the Behroonguda Forest, 1998 377
24.8 Benefits of Protecting the Behroonguda Forest, 1998 377
24.9 Expenditure on Various Forest Activities in Behroonguda, 1994–98 378
24.10 Employment Generated by Forest Activities in Behroonguda, 1994–98 (Days of employment) 378
24.11 With and Without VSS: Behroonguda vs Chintapally (Rupees per hectare) 379

Figures

1.1 Chart of Forest Exploitation in India 39
9.1 A Change in Workforce Structure 175
20.1 Source of FRA Information 308
20.2 Distribution of Scheduled Tribes Population across Districts 311

Introduction

Indra Munshi

The term 'tribe' was used by the colonial government in India to categorise a large number of groups who did not fit the categories of 'caste' or 'Hindu'. The term subsumed communities very different from one another in terms of demographic size, linguistic and cultural traits, ecological conditions, material conditions of living, but essentially 'primitive', 'backward' and 'uncivilised' in character. After Independence, the term 'Scheduled Tribe' (ST) came to be used to denote tribes which were scheduled as such under the Constitution of India, distinguished from other communities by relative isolation, cultural distinctiveness and low level of production and subsistence, not necessarily original inhabitants. Indian words like 'adivasi' (first settlers), 'vanvasi' (inhabitants of forests), 'vanyajati' (forest communities), 'pahari' (hill-dwellers), 'adimjati' (original communities/ primitive people), 'janjati' (folk people), 'anusuchit jati' (ST), are also used. Most of the contributors to this volume seem to have used the terms 'adivasi', 'tribal' and 'indigenous communities' interchangeably.

For the colonial administrators the 'wild' and 'barbaric' tribesmen of the hills and forests only meant trouble in the form of rebellions, which continued to occur with alarming regularity throughout the colonial rule. Bara, however, argues that the negative traits associated with the term 'tribe', was not only a colonial creation, but had existed in the pre-colonial brahminical texts as well. '... the colonial state merely transformed pre-colonial prejudices of brahminical texts and gave them a Darwinian twist' (Bara 2009: 90). The colonial ethnological exercise, he elaborates, drew from the traditional sanskritic texts which largely depicted the aborigines as beastly and dæmonic in terms like 'dasyus' and 'daityas'. The term 'tribe' was also given a new dimension, of seeing it as a lower stage of human progress.

Scholars have shown that there are references to forest-dwellers in ancient and medieval literatures, to their volatile nature, and the mode of production of some of them as consisting of hunting and gathering are also noted. Many established states and acquired political power or were absorbed into regional political systems, which left them with considerable autonomy in the management of their affairs and control of resources. It is also well established that there were linkages between the tribe and peasants, graziers and craftsmen who also used the produce of the forest. Tribals were in touch with the Hindu peasants and craftsmen through the

market, who were responsible for the introduction of many agricultural techniques and crafts in tribal areas. In India, therefore, isolation of tribes was relative and never absolute as in other countries (Singh 2005: 10). It is important that this aspect of isolation is not overstated in defining tribes.

The nature of interaction between the tribal and peasant societies seems to have been far more complex than that delineated by the so-called processes of absorption and sanskritisation as suggested by N. K. Bose and M. N. Srinivas. Although many of them came within the social and economic orbit of Hindu society, which resulted in them emulating the lifestyles and religious practices of the upper castes, there is ample evidence to suggest that there was indeed a great deal of give-and-take and mutual interaction between the societies. This process, the noted historian D. D. Kosambi, traces to ancient times when tribal deities and tribal rituals and cults were modified and incorporated within brahminical Hinduism. The matriarchal elements were retained by identifying the mother goddess with the wife of some male god. The worship of the newly absorbed primitive deities, Kosambi observes, 'was part of the mechanism of acculturation, a clear give- and- take' (Kosambi 1976: 169–70).

In later periods several processes appear to have been at work affecting the organisation of tribal communities. Many of them, as Ratnagar points out, co-existed with stratified societies under the rule of monarchies, many peasant groups pushed into 'inhospitable fringe' would have adopted tribal ways of life, and some tribal groups were also absorbed into the larger society as *jati*s or castes. But, while tribes may have shared many features with the peasants societies, what distinguished them, Ratnagar argues '... by definition tribesmen are not surplus-producing peasants ... the affairs of tribal people do not depend on the markets or the law-and-order institutions of a larger society.... Tribal households have a degree of self-sufficiency not evident among peasants ... tribal society thus has a structure that is simpler than class or state society ... (which) need not be a pejorative understanding at all....' (Ratnagar 2010: 2–3). One may add that, by definition, these communities did not have a notion of private property, and had a distinct culture. Even in present times, when adivasi societies are stratified, exposed to the markets, their social organisation totally disrupted by the outside forces, one can still find in adivasi communities the remnants, more or less, of the principals of equal access to water resources, forests, pastures, land; a sense of community defined by the recognition of a common ancestor within the larger kinship, shared rituals and religion dominated by nature and spirit, language, cultural practices, and politico-social organisations to manage the affairs of the community, which give them their distinctiveness.

Even when some members of a community adopt Hindu or Christian values and practices, they do not give up their specific identity of being a Warli, Gond, or Bhil. Our own experience with the Warlis in Maharashtra shows that often elements of the old and new are combined in very interesting and practical ways. Adivasi language, way of life, social organisation, cultural practices, rituals related, for example, to marriage, birth and death, are not given up totally, but most often elements of the new religion are incorporated within the framework of the adivasi religion and

culture. A simple but good example is the inclusion of the sign of the cross in the ritual paintings made on the walls of the houses at the time of weddings. Their social organisation remains basically unaltered. Adivasi identity, and an acute awareness of its distinctiveness, continues to be asserted by adivasis all over the country through their demands for autonomy, forest and land rights and a better quality of life. That this distinctiveness is getting eroded in the process of marginalisation, and over all change, of course, is a sad fact. Despite the state's commitment to help the adivasis grow 'according to their own genius and tradition', development has devalued and undermined much of what was positive in their culture, knowledge system, skills, institutions of governance, practices of resource management and use, language, and other cultural traditions. For example, it is reported that of the large number of spoken languages that are lost, most are tribal languages.

That even a Hinduised group essentially retains its adivasi character, and does not become a caste, as some sociologists have suggested, is the focus of Xaxa's argument. He points out that the process of Hinduisation does not necessarily lead to the integration of the adivasi groups into the caste society. 'To be integrated, tribes must be drawn into the social organisation of the caste. That, by and large, is not an empirical reality.' Hinduisation cannot take away the social attributes of adivasi groups as communities with their special modes of living and believing. To be Hindus, he argues, they must become a part of the structure of Hindu society, 'which is possible only if they get drawn into the structure of the regional linguistic community'. In very rare cases has an entire adivasi group joined a caste/jati and taken on a new identity. Nor do they cease to be adivasis when they become a part of the process of peasantisation (Xaxa 1999: 1522).

Adivasis and the Forest

Few adivasi groups practise hunting and food-gathering as their sole occupation. A majority of them, nearly 51 per cent, are cultivators, followed by agricultural labourers, nearly 28 per cent. The rest are engaged in household industry, construction work, plantation, mining and quarrying and in other services (National Commission 2004: 27). A very small section has benefited from the protective measures of the government, the system of reservation in educational institutions, employment and political reservation, but the majority have been marginalised by the process of so-called development of the last six decades since Independence. It is they who have borne the cost of industrialisation, urbanisation, construction of big dams, infrastructure, mining and quarrying and other development activities. However, the socially and economically most marginalised among them are those groups who were formerly branded as 'criminal tribes' by the colonial government through a series of Criminal Tribes Acts. The eagerness of various landed classes and castes, and later industrial employers, to have nomadic tribes declared notified under the act, in order to meet the demand for labour, Heredia argues, reveals the more sinister aspect of the act. Although the laws were repealed in 1952, and they were listed as De-notified and Nomadic Tribes, these groups continue to be stigmatised as 'born

criminals' and harassed and humiliated by the general society and by the agencies of the state (D'Souza 2001; Heredia 2007; Radhakrishnan 2001). Estimates suggest that there are about 400 nomadic and semi-nomadic tribes in the country, numbering some 150 million, most of whom do not possess land rights or house titles, and are, therefore, denied even voting rights. Many of these groups have lost their traditional livelihoods over time, are now confined to the urban fringes, living in abysmal conditions and are dependent on informal means of livelihood (Editorial 2007: 4020). They constitute the 'poorest of the poor' in Punjab, an otherwise prosperous state. But, as Singh points out, they have already started agitating for their long pending demand for ST status, which will go the Gujjar way if it is not suitably addressed (Singh 2010).

Most of the adivasi groups derive their livelihood from agriculture and forest, and as different from the non-tribal agricultural communities, their dependence on the forests, for a variety of purposes, is substantial. Agriculture, both shifting and settled, is closely interlinked with the forest. While the former takes place in the forest and cannot be imagined outside of it, settled agriculture, too, depends on the inputs from the forest. Out of the total geographical area, the actual area under shifting cultivation is estimated to be about 22.78 lakh hectares, and the number of families dependent on it for livelihood is said to be nearly 6.07 lakhs. About 83.7 per cent of this area lies in the north-east of the country. Rough estimates suggest that the per cent of population dependent on shifting cultivation, or jhum as it is popularly known, is as high as 57.69 in Arunachal Pradesh and 80.74 in Mizoram (Xaxa 2007: 6). An overwhelming majority today is, however, engaged in settled agriculture.

The forest has been, and continues to be, a major source of food, timber for house construction and agricultural implements, fuelwood, medicines, and other necessities of everyday life. Leaves, fruits, flowers, roots, tubers from the forest constitute an important supplement to the otherwise meagre diet of the adivasis, especially during the lean season and periods of drought. Wild fruits, berries and honey are collected and eaten by children when they are hungry, fish and small game are a source of protein, bamboo and timber are necessary for making agricultural, hunting and fishing tools, and herbs serve not only as potherbs but as medicines for several ailments; oil, liquor, soap come from the forest. Scholars have suggested that 50 to even 80 per cent of the food requirement of the adivasis may, in fact, be provided by the forest (Fernandes 1993: 51). Sale of non-timber forest produce like bamboo, kath, fuelwood, tendu leaves, sal leaves, a variety of nuts are an important source of income. Gods and spirits reside in the forest, so do trees and animals, which are objects of devotion, and it is the ideal getaway space for leisure time activities. In spite of the fact that a major disruption in the relationship between the two has been caused by forces unleashed in the last two centuries or so, for a large number of the adivasis, the forest is the leitmotiv of their material and spiritual existence.

Although the governments that preceded the British had appropriated certain parts of the forest for imperial purposes, regulated cutting of certain trees and plants, taxed certain products of the forest, but, by and large, the forest communities

enjoyed free access to the forest. They could take all the produce they required for domestic and agricultural purposes from the public forests without hindrance. From the scanty evidence available, it appears that the forest communities enjoyed a degree of freedom in the use and management of the forests they inhabited and they developed their own mechanisms, cultural and religious, to regulate the use of forest. One still finds among adivasi communities norms and rules governing the use of forests, although in the face of rampant exploitation and destruction of forests all over the country, these norms are inevitably breaking down.

Several regulations were passed in mid-nineteenth century with the object of protecting and regenerating forests for ecological reasons, as well as of facilitating production of timber on a sustainable basis, for both revenue and imperial purposes. It was found expedient to pass a law in 1865, later revised in 1878, to curtail the rights of the people and make 'government the only master'. Laws relating to the management of forest and forest produce were subsequently consolidated in the Indian Forest Act of 1927.This resulted in the large-scale restriction on the removal of fuelwood and bamboos, the prohibition against cutting wood for building huts and cattle-sheds, and for agricultural implements, the reservation of mahua flowers and fruits, leaves of many kinds, and prohibition of shifting cultivation. In many instances, grazing lands were included into 'reserved' and 'protected' forests, thereby seriously affecting the existing grazing arrangements. Over all, notwithstanding the regional differences, one could suggest that the creation of a large area of 'reserved' forests in India under control of the state, supervised and managed by the forest department resulted in the restriction of the customary rights of the forest communities endangering their very survival. These communities suffered great hardships at the hands of forest officials who enforced the restrictions with great severity, so that even a minor breach of regulation was treated as a 'crime' (Munshi 1998; Rangarajan 1996; Sundar 2007: 104–30).

The scientific management of forests introduced by the British also resulted in the enhanced commercial value of the forests, and opened up an important source of revenue for the government. The forest department showed a consistent rise in surplus. The ever expanding demand from the urban centres, military cantonments and hill stations, from the railways, and the rising commercial value of teak, and other so-called Minor Forest Produce like resin, tanning materials like kuth, myrabolans, and essential oil as items of export, all added to the economic value of the forests. Efforts were made to promote the growth of trees like teak, deodar, sal, pine, sissoo which commanded a ready market (Guha 1983: 1886–87; Guha 1999: 60; Munshi 1996: 1268). The increased policing by the forest department inevitably resulted in more and more forest 'crimes' and 'offences' being committed by those dependent on the forest. The forest department, by and large, treated, and continue to treat, the adivasis as the enemy of the forest, holding them responsible for its destruction. There was, and is, no place in this model of forestry, for the involvement of local forest communities in matters pertaining to the management and use of forest. Scientific arrogance, economic compulsion and sheer callousness towards the basic needs of the poor have largely guided the working of the forest department.

Two important processes through which, according to Xaxa, land and forest under tribal control were brought under state control and management were the following. One of them was that under the system of administration introduced during the colonial rule and which continued after Independence, lineage/village ownership of land was not recognised. Hence, adivasi land under such arrangement was not recorded in the survey and settlement reports. The other was the non-recognition of shifting agriculture as a legitimate agricultural practice, except in the north-east. As a result, the rights of adivasis practising shifting cultivation in states like Odisha, Andhra Pradesh and Chhattisgarh, remain unrecognised. In concrete terms it implies that the forest on which the adivasi community was dependent for shifting cultivation was not recognised as forest under the control of the community or the village. 'Paradoxically, the post-colonial Indian state has continued with the colonial policy with the result that lakhs of shifting cultivators have no legitimate rights over the forests that have been their own for centuries' (Xaxa 2007: 14–15).

The traditional rights of the adivasis were neither recognised nor recorded. The creation of national parks and sanctuaries on forest lands further excluded these communities from their survival base. While conservation of the flora and fauna was recognised as an urgent need, the settlement of adivasi rights to forest and its produce was not undertaken with the sincerity and seriousness that it deserved. And those who continued to use forest land were deemed 'encroachers', stripped of any security or rights. The debate between the supporters of wildlife and forest protection and that of adivasi rights continues, and while the concerns of both are legitimate, it is being increasingly recognised that the two are not necessarily irreconcilable.

In spite of state control, depletion and destruction of forest as a result of the combined activities of the forest department and private interests has gone unchecked. In some cases, adivasis, too, have become instrumental in illegal harvesting of timber for business groups. While a few have actually joined the loot, and begun to trade in timber, most of them do so for a meagre sum. A constant increase in the number of people, who still depend on the forest for their livelihood, in the absence of an alternative source of employment, is certainly taking a toll on the already depleted forests. But over-exploitation of forests by the forest department as also by commercial interests for profits, and use of forest land for non-forest purposes in the so-called national interest has resulted in massive destruction and depletion of forests. Between 1980 and 2004, 9.81 lakh hectares of forest land involving 11,282 development projects were diverted from forest to non-forest purposes (Xaxa 2007: 21). By some estimates, the present rate of deforestation is around one million hectares a year. Ignorance, greed and callousness of which the adivasis are often accused, has been no match for the ignorance, greed and callousness of the forest department and the state.

Loss of Land and Livelihood

With a view to wean the adivasis away from shifting cultivation, which was considered 'wasteful' and destructive, as well as to open up a regular source of revenue, the British government forced sections of the adivasis to take up land for

cultivation on lower rates of assessment. But the lack of agricultural implements, poor quality of soil, frequent crop failures, and rigid revenue demands, often forced the small cultivators, both adivasis and non-adivasis, to turn to the moneylender for seed loans, consumption loans, or money to pay revenue to the government. The moneylender, although not a creation of the British rule, acquired great power over his debtor during this period, since the British judicial system made alienation of land a dangerously simple matter. In several parts, the trend of increasing indebtedness and transfer of land from the cultivating to the money-lending classes was to be noticed (Ghosh 1991: 1178). In central India, many adivasis lost their lands to the Parsi liquor-sellers, who would encourage them to buy drinks on credit, and when the debt increased, the liquor-seller demanded money, or preferably land. In this way, a powerful class which amassed large amounts of land and wealth through combined activities of trading, money-lending and liquor-selling, emerged, which reduced the adivasis to the position of bonded labourers and tenants (Munshi 1995; Ratnagar 2010; Hardiman 1985). The exploiter, known as 'diku' or outsider in many parts, was the target of attack in many adivasi revolts during the colonial period.

Thus, from a low subsistence level, but a relatively independent existence, the adivasis became totally dependent on the landlord-moneylender, trader, shopkeeper, for their survival. The exploitation and oppression by this class not only reduced them to penury, but also bruised their self respect. The necessary pre-condition for the dependence and bondage was the alienation of the adivasis from their means of subsistence, forest and land, which was almost complete by the end of the nineteenth century. Increase in population only increased the pressure on the natural resources. In many parts of the country, adivasis, at times joined by non-adivasi peasants, revolted against the local oppressors and administrators, to demand for land, forest rights, lower taxes, lower prices for food and liquor (Gadgil and Guha 1992: 146–80; Dhanagare 1983; Desai 1979; Singh 2006).

In spite of the legislations preventing alienation of adivasi land to non-adivasis, they continue to lose their land. In just one taluka, Shahada in Dhulia, for example, about 10,000 acres had passed into the hands of the non-adivasis, landlords, moneylenders and others (Kulkarni 1974: 1469). A survey conducted in the major tribal areas of Tamil Nadu revealed that the incidence of alienation of tribal lands is high everywhere, but significantly higher in tribal concentration areas and also primitive tribal areas compared to dispersed tribal areas. It is highest in Salem district where 60 per cent of tribal households had lost 30 per cent of their lands (Selvarajan 1990: 1185). Non-adivasis, it is reported, own more than half of the land in scheduled areas in Andhra Pradesh, as high as 52 per cent in Khammam, 60 per cent in Adilabad and 70 per cent in Warangal (Laxman Rao 2006: 5404). In Madhya Pradesh, according to the Ministry of Rural Development, a total of 53,806 cases of land alienation were reported up to 1999, involving 1,58,398 acres of land. Of all the cases, 55.05 per cent cases have been rejected, about 26.74 per cent were decided in favour of tribals, and 18.20 per cent were still pending before the court for adjudication. Of all the land ordered to be restored, only 35.84 were restored with physical possession (Gnana Prakashan 2004: 86–87).

Ironically, the decades following Independence were the decades of intense development planning in India; they were also the time of marginalisation of adivasi communities from mainstream development. The economic agenda of nation-building centred around industrialisation and urbanisation. What accompanied this process were building of large dams, large industrial complexes, infrastructure, opening of mines and forests for the market and over-exploitation of natural resources to satisfy the expanding urban and industrial demands. Ironically, the adivasis inhabit most of the rich, natural resource regions, nearly 80 per cent of the minerals, 70 per cent of the forests and other natural resources. Ninety per cent of the coal mines are located in these areas.

The effect of these processes on adivasi communities in India was succinctly reported by the *International Alliance of Indigenous-Tribal Peoples of the Tropical Forests*, 'Building the industries, mines, townships, dams, forest depots was both by decision and default imposed on the tribal people. They carried the burden of the economic growth of the nation. The Land Acquisition, a piece of colonial legislation, used to acquire lands for the Crown, became the main tool in the hands of the new State to take over tribal resources in the name of public interest, and by proxy hand the same over or divert its benefits to the advanced and advancing sections. One section reaped the gains, the tribals paid the cost. More than 10 million have been displaced and lost all that they had, millions others stood by helplessly as the juggernaut of national development pushed their communities to the brink of ethnocide. The economic path chosen by the rulers has effectively marginalised the tribals in their own domain' (International Alliances 1998 : 14–15).

That the adivasi situation had reached alarming proportions by 1986–87 was noted by B. D. Sharma, the commissioner for SCs and STs, in the *28th Report of the Commissioner for Scheduled Castes and Tribes*, and communicated to the then President. It said, 'There is simmering discontent in almost the entire middle Indian tribal belt particularly on the issues of land and forest. In some cases a state of near confrontation has been created between the people and the state which is marked by intermittent eruption of violence.' It further elaborated, 'The tribal people are continuously losing command over their resources on almost all counts—pressure from more advanced people, claims of the state in utter disregard of their traditional rights and virtual forced displacement in favour of a variety of development projects, big and small'. With regard to forest and forest produce, the report said, 'The tribal is deemed to be trespasser, and sought to be evicted summarily without even listening to what he has to say. Even the right of the tribal people to collect the MFP, which was duly recognised at the time of reservation of forests, has not been honoured in its true spirit' (Quotations taken from Dogra 1990: 710).

Dileep Singh Bhuria, who headed the Commission in 2001–02, reiterated that despite the existence of legislations to prevent alienation of tribal lands and to ensure its restoration whenever alienation occurred, the percentage of tribal cultivators has decreased from 68.18 in 1961 to 54.50 in 1991, with a corresponding increase in the proportion of agricultural labour. 'The condition of landless tribals is far worse as they are more vulnerable due to lack of employment and poverty. The problem

of landowning tribals is also not much different because of the small size of average holdings. A large number of tribals have to migrate to other areas/cities in search of employment due to lack of jobs in their own areas.' The report did not mince words when it said that the public sector undertakings as well as other development projects and private industries have contributed to the process of impoverishment of the tribals. 'The state which is supposed to protect their interest, has immensely contributed to their exploitation.' The present situation, it clearly states, is the result of the location of industries and other development projects in tribal areas which are rich in natural resources. The estimate of displacement varies from nine million to 20 million, and the tribals constitute 40 per cent of the total displaced persons (GoI 115, 119,121, 122–24).

Of the total number of people displaced by development projects, nearly 50 per cent are adivasis. Depletion and destruction of forest have eroded the already fragile survival base of these communities. The worst sufferers are women who must now work harder to meet the fuel, water, food, fodder requirements of the family and its cattle. Deprived of their traditional livelihoods, a large number of the adivasis are forced to migrate seasonally or permanently to other rural areas, the urban fringes, or cities in search of work. They constitute a large army of, what Jan Breman calls, 'footloose workers', a part of the expanding unorganised sector, with little security or protection (Joshi 1998; Breman 1996; Patil 2004: 189–91).

It is noteworthy that the situation in the north-east tribal belt differs from that of central and southern India. Except Tripura, Assam and Manipur, this region did not experience much immigration even in colonial days. And although in more recent times alienation of land and other resources has occurred (despite the provisions of the Sixth Schedule and the Inner Line Regulations), it is not as widespread as in the rest of the country, in particular the central tribal belt. Tribals, in this region, according to Pathy, control their survival resources (82 per cent are cultivators here as against 52 per cent in central India and 36 per cent in peninsular south). The tribals are a majority in Arunachal Pradesh, Nagaland, Mizoram and Meghalaya. The tribal struggles here, have therefore, little to do with land alienation or expropriation of resources by the state, and more focused on political autonomy (Pathy 2005: 40).

The Indian government's economic policy of globalisation and liberalisation has only accelerated the process of alienation of the adivasis from their natural resources and created greater insecurity. The free movement of human resources, commodities, finance, and technology across national, regional and local boundaries has adversely affected these communities. The state's agenda to open up Scheduled Areas for investment by large multinational companies has not only destroyed resources but also livelihoods and traditions, with nothing better taking their place. It is observed that 'large scale transfer of tribal land is going on. This alienation of tribal land has taken a long sweep since the successive governments adopted the liberalization policies. The moves to amend the fifth schedule and structure forest management projects in order to include the interests of large private firms like the Indian Tobacco Company in Andhra Pradesh.... The Jindals procured tribal land through benami transactions in Chhattisgarh for their steel plant. The Sahara

Housing Limited grabbed 3,760 acres in Maharashtra for a tourism project...' (Savyasachi 2005: 15–16; for a discussion on the effects of globalisation on tribal/ indigenous communities, see Nathan et al. 2004).

The government has effectively carried out a massive eviction of adivasi people in order to clear the way for the big multinational mining companies and their Indian partners, who are coming to India to exploit its iron-ore, coal, bauxite uranium and other bio-diversity. The Odisha government has already given mining rights for iron and steel production to 35 companies, including a grant to POSCO and to large number of aluminium companies (ibid.: 16). It is the same in the other mineral rich states of the country. Mining and quarrying has recently attracted a lot of attention, not only because it has emerged as a major profit-making industry, often combining force and fraud, legal and illegal means to carry out its activities, but also because mining areas are the site of violent political clashes between the local people on the one hand, and the private capital and the state on the other. Ecological destruction, loss of traditional livelihood of adivasis, and displacement are primary reasons for it (Chandrasekhar 2010: 9). Chhattisgarh is one such site which has witnessed clashes between the local people and police, and in fact, massive state repression to crush the Maoist influence in the region.

Nearly 31 per cent of the total population of Chhattisgarh is adivasi, they constitute as high as 79, 55 and 44 per cent respectively of the districts of Dantewada, Surguja and Koriya, which are rich in mineral resources. As, Mahaprashasta points out, only 36 per cent of these areas are under cultivation, 'the rest of the area is up for grabs, and it is the tribal people who depend on forest resources who face the brunt. These districts have very low development indices. Malnutrition is very high in these areas' (Mahaprashasta 2010: 23). Clashes between the adivasis and police have taken place in the Lohandiguda region of Bastar where the adivasis were protesting against the construction of a 1,000 crore steel plant planned by the Tatas. A report brought out by the Centre for Science and Environment in 2008, shows that the land in question, 2,000 hectares, belonging to 10 villages in Lohandiguda, was a Fifth Schedule area, most of it being cultivable land. It was also one of the few places in the country where the culture of the Maria Gond survived, as did the wild buffaloes (ibid.: 23). Such projects are allowed to be undertaken with total disregard for the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, PESA, 1996, which provides for self-governance by the gram sabha, specifically to safeguard and preserve traditions and customs, cultural identity, community resources; to prevent land alienation; consultation with the gram sabha or panchayat being mandatory in the case of land alienation, resettlement, etc.

The same report gave alarming information on the devastation caused by mining activities. It reported that in the first four and a half decades after Independence, mining had displaced about two and a half crore people, and less than even 25 per cent of them had been rehabilitated. Of the displaced, more than 50 per cent belonged to adivasi communities. It was estimated that 1. 64 lakh hectares of forest land has already been diverted for mining in the country (Ramakrishnan 2010: 6–7). Adivasi protests led by Maoists have brought to the centre-stage the problems

of continuing illegal acquisition of land from scheduled areas by private interests as well as the state, and the resulting alienation of adivasi communities from their resource base. Areas most politically volatile are those which are forested, rich in other natural resources, and which have been home to adivasi communities.

Everywhere, adivasi struggles are taking place to protect their resources and livelihoods. But it would be simplistic, Pathy argues, to focus on alienation of tribal resources by propertied non-tribals, because the overwhelming issue is one of dispossession of the adivasis by the state and its agencies. The recent technological advancement and unrivalled economic and political strength of world capitalism has manifested itself in an invasion of ecologically fragile tribal regions for their resources, resulting in forced eviction, 'plunder and violence' (Pathy 1998: 217). Prabhu also points out that the state is primarily responsible for denial of adivasi rights to their survival resources, and that tribal struggles show a shift from 'resistance to resurgence'. He sees the following perspectives emerging within the tribal movements, 'reaffirming of tribal self, recapturing the control over resources, reclaiming political domain, and redefining development' (Prabhu 1998: 247).

That alienation of the adivasis from land and forest and the consequent loss of livelihood, oppression and exploitation by the state functionaries, and the propertied classes are at the core of tribal militancy, is recognised and voiced by many. E. A. S. Sarma, former Commissioner of Tribal Welfare, observes, 'I am totally against violence of any kind and a firm believer in democratic process.... But Left extremism is a secondary issue. How many tribals even know there is a government? Their only experience of the State is the police, contractors, and the real estate goons. Besides, the Fifth Schedule of the Constitution grants tribals complete rights over their traditional land and forests and prohibits private companies from mining on their land. This constitutional schedule was upheld by the Samatha Judgment of the Supreme Court (1997). If successive governments lived by the spirit of the Constitution and this judgment, tribal discontent would automatically recede' (quoted from Chaudhuri 2009: 37). While it is true that a small number of adivasis have benefitted from the welfare measures of the state and emerged as an influential strata, and it is also undeniable that a number of young adivasi men and women may not want to continue with their traditional lifestyles, but the overwhelming fact is that the majority of adivasis are being deprived of their livelihoods against their wishes, and forced to take up employment which offer little security or a better quality of life.

Millions of adivasis have been on the move in the last several decades making way for development projects, industrial activities, forest conservation, to allow processes of development to proceed unhindered, even at their own cost, and to make good for the short-sighted policies of the state which has resulted in the destruction of our natural resources. Displaced and disoriented, the experiences of these communities can best be described in the words of Elwin, 'loss of nerve'.

Resettlement, when it does happen, is a painful experience, and the conditions in the resettlement sites are often so abysmal that the majority of the people want to return to their otherwise difficult lives, to their villages, kin group, forests, rivers,

gods, who they know and trust, and who they can depend on in good times and bad. The alternative is to move out and work as casual labour in plantations, industries, as domestic servants, rickshaw-pullers, construction workers, in inhospitable and alien surroundings. A reasonable question then to ask is, since resettlement of such large numbers is bound to be impractical and destructive, why displacement at all. It is more important to develop many different models and strategies for these communities, and with these communities, in consideration of the state and nature of their resource base, skills, practices, traditions, knowledge, aptitudes and wishes. So that they can live and work, if they wish, in their own surroundings, with better facilities made available to them. But this requires a more creative and democratic approach to development, which our policy-makers have proved incapable of.

An important step in the direction of correcting the 'historic wrong' and restoring the rights of the adivasis has been the passing of The Scheduled Tribes (Recognition of Forest Rights) Bill, 2005. It actually seeks to rectify the earlier mistake of treating the adivasis as the enemies of the forest by giving them a stake in the forests and involving them in protection and conservation of the same. The Bill generated a great deal of debate among the concerned persons, while environmentalists and wildlife conservationists expressed anxiety and concern over opening up the forests to forest communities, and therefore to possible abuse, others argued in favour of involving communities in forest conservation by granting them rights within the built-in safeguards which would prevent wanton abuse not only by the adivasis, but by anyone. Many of these issues were clarified in the discussion on the Bill that appeared in the *Economic and Political Weekly* in 2005–06. Sadly, non-implementation, and, at best, partial implementation describes the present state of the Bill.

It must be noted that another kind of struggle on the issue of land is taking place within some of the adivasi communities, and that is by adivasi women to gain ownership rights to land. The denial of land rights to adivasi women has been a matter of concern to academics and activists. For example, Madhu Kishwar's article on Ho women highlighted the issue of their deprivation in the context of their status in the family and community. Kishwar argued that Ho men's increasing control over land and other income generation activities has resulted in 'greater exploitation of Ho women despite women's far greater contribution to the family's livelihood' (Kishwar 1987: 200). There are instances of adivasi women like the Santhals of Bihar, who, supported by some men from the community, have launched a campaign for right to land (Rao and Rana 1997: 1307–09). In a personal communication, I was informed by Shiraz Prabhu of Kashtakari Sanghatana, Dahanu (Maharashtra), that an adivasi woman really asserts her property rights in case she is widowed in her youth, and is faced with dispossession and eviction by her in-laws. The struggle is more to preserve the children's (son) right over the marital property, which gains her some support from the community. The constituents of the National Forum for Single Women in Himachal Pradesh, Jharkhand, Madhya Pradesh, Gujarat, Rajasthan and Maharashtra have been actively campaigning for women's right to land and property and establishing this right either through the courts or through direct action.

The Reader

The Reader is a collection of articles dealing with the most crucial issues concerning adivasi communities in India, which have appeared in the *Economic and Political Weekly* (*EPW*) in the last nearly five decades. These articles focus specifically on the issues of alienation of the adivasis from land and forest, the resources on which their survival has depended, loss of livelihoods, the question of rights of the adivasis to the natural resources, issues concerning conservation and the role of local communities, the resistance of the adivasis to the injustice perpetrated by the state, and the responsibility of the state towards nearly 8 per cent of the most vulnerable part of our population. The journal has published nearly 400 papers, including articles, reports and discussions, pertaining to the subject.

Selecting only a few out of this vast reservoir, has, therefore, been a challenge. The articles included in this volume are those written by both activists and academics, which have valuable insights, information, and analysis to offer. The Reader, it is hoped, will be useful to students interested in understanding the major issues concerning the adivasi communities in India, who have been far from the urban consciousness, but whose resistance to government's policies, which has deprived large numbers of them of their livelihood and social-cultural roots, dignity and independence, has in recent years, generated a great deal of concern not only among the policy-makers, but also among the urban populations. They are made to appear as a threat to the Indian state and society, to stability and advancement, and the response of the state has been two-fold, that of repression and rhetoric. Massive repression in the form of arrests, shooting, killing to crush even the mildest protest, is accompanied by statements made by the Prime Minister, Home Minister and others, emphasising the need for development in the tribal regions, for a change, for the tribals. The Reader, we hope, will also be useful for researchers as well as activists, working with tribal communities, who will find a substantial amount of ready reference—all in one volume.

The book is organised into seven parts. The articles included in the first section, 'Regulations and Resistance: Adivasi Communities in the Colonial Context', look at the historical process which affected the adivasi communities in very fundamental ways. Ramachandra Guha's seminal article, 'Forestry in British and Post-British India: A Historical Analysis', unravels the process whereby through the introduction of forestry policy, management and legislation, the customary rights of the forest communities have been progressively curtailed. Guha argues that there is a marked degree of continuity between the colonial and post-colonial forest policy and management in India. While colonial forest policy was essentially guided by the need for 'crucial raw material for imperial interests, such as the railways and the world wars', in post-Independence times it has been 'the commercial and industrial interests', which have dictated the forest policy. In spite of the lip-service paid to the needs of the forest communities in the policy documents, the forest communities have experienced a progressive loss of control over their habitat. Commercial rather than ecological consideration has dictated the forest department, resulting in not only denudation and degradation of forests, but also replacement of mixed natural forests

by 'valuable' species like eucalyptus, tropical pines and teak, into monocultures. Guha also sees continuity in the resistance and struggle of the forest communities to the state policy, from colonial times to the present. 'The increasingly militant struggles have centred around the question of regaining community control over land and forest.' Unlike the paternalistic method of the British, the Indian state, he observes, has even resorted to the use of armed forces to suppress these struggles.

A similar analysis is offered by Sanjeeva Kumar in his article 'State Simplification: Garo Protest in Late Nineteenth and Early Twentieth Century Assam', who sees the protest of the Garos as an expression of 'their dissatisfaction with the colonial natural resource management based on expropriation-encroachment, reservation of forests, imposition of rent, forced labour, and infringement on customs'. Over time the various seemingly unrelated grievances combined to transform the struggle to one for a homeland. Kumar makes a very important point that the traditional and time tested resource management systems were 'replaced by centralised administrative rules and institutions, often alien to land and culture'. 'These interventions', he argues, 'can be seen as the state's attempt to arrange the natural resources and populace in standard categories that simplified its limited function of taxation and maintenance of law and order.'

Although there is a basic continuity in forest management with the earlier period, Kumar points out, there is now a greater recognition on the part of the policy-makers of the need for resource conservation and people's participation in forest management. But, 'they are in the danger of becoming just another top-heavy project of "standardisation" and state "simplification", bereft of people's involvement and indigenous knowledge'. This practical knowledge, he says, 'may prove more useful than a mechanical application of generic rules that ignores particularities and invites practical failure.'

Ashok Upadhyaya unravels the process of what he calls, peasantisation, whereby the adivasis of Thane district, in present-day Maharashtra, were transformed from being a part of a subsistence economy to becoming a part of the rent paying formation as tenants and forced labour during the colonial period. They were subsumed into a mode of cultivation 'where proprietory rights were alienable, and cognisable by law, where monetisation marked the whole process of circulation of commodities, where payment of revenue in cash was mandatory'. Although many adivasis took advantage of the incentives given by the government to take to regular 'settled' cultivation, not many could remain as independent peasant proprietors. In the absence of any institutional and infrastructural facilities like credit and market, protection against alienation, large number lost their lands to the non-adivasi moneylender-landlord, who emerged as a powerful figure on the village scene.

Commercialisation of agriculture only further aided this process. Accompanying this process, Upadhyaya points out, was that of depriving the adivasis of the alternate means of livelihood—the forest produce. Tension between the adivasis and the forest officials, the moneylender-landlord who employed extreme forms of coercion and exploitation, including violence, to keep the tenant and forced labour under control, continued to simmer and resulted in open confrontations from time to time, like, for example, in 1896 and later in a more organised struggle in 1946–47.

Section 2, 'Loss of Land, Loss of Nerve', deals with the issue of alienation of adivasi lands. It is indeed a sad commentary on the efforts of the Union and state governments to protect the rights of the most vulnerable groups with regard to the control and use of land that the SCs and STs continue to be the most disadvantaged. B. B. Mohanty's article, 'Land Distribution among Scheduled Castes and Tribes', shows that their situation has not improved substantially in the past 50 years, in fact, in some states it has even declined. Widespread peasant and tribal struggles for land during the colonial period and also around the time of Independence, resulted in the introduction of a large number of legislations to allot land to the deprived sections and to prevent its transfer to non-scheduled groups. However, data on alienation and restoration of tribal land shows that in Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh and Maharashtra, alienation among the tribals is remarkably higher both in terms of area and number. In Odisha, land alienation is widespread. In many states, a large number of registered land alienation cases have been rejected and many are pending in court. Mohanty argues that legislations are effective only in areas where the poor are well organised and active.

The above observations are supported by two studies conducted in Tamil Nadu in the years 1989 and 1998, which show that the degree of alienation of tribal lands to non-tribals, institutions and government departments has not reduced at all over this period. E. Selvarajan's article, 'Alienation of Tribal Lands in Tamil Nadu Panel Data Analysis', brings out the reasons for the same. Outright sale, mortgage, leasing out and encroachment are the main forms of land alienation, indebtedness the main reason for it. While the largest share of land lost is to non-tribals, more than 74 per cent, it is followed by government departments and institutions. The small and marginal farmers have thereby become landless labourers. Nitya Rao's article, 'Displacement from Land: Case of Santhal Parganas', based on fieldwork in two districts, Dumka and Deogarh, reports the emergence of range of tenancy and share cropping arrangements. The most common form is land mortgage, locally termed as 'bhorna' or 'miyad'. A result of poverty and indebtedness, bhorna is widespread in most villages. Rao observes that while debt bondage has been a traditional form of land alienation at an individual level, the last few years, particularly since the formation of Jharkhand, private transfer from adivasi to outside contractors for undertaking stone quarrying on the land and displacement due to excessive siltation of the Masanjore dam constructed in 1955–56 has occurred on a large scale.

In the four Konkan districts of Thane, Raigarh, Ratnagiri and Sindhudurg, reports Brian Lobo in his article, 'Land Reforms: Turning the Clock Back', that the state is acquiring land from a large number of tribal cultivators in the name of environmental protection. The implementation of the Maharashtra Private Forests (Acquisition) Act nullifies the benefits that accrued to many of the tenants and the landless labourers through the land reforms legislations. K. Balagopal's article, 'Illegal Acquisition in Tribal Areas', clearly brings out that the illegal acquisition of land from the adivasis in the scheduled areas in Andhra Pradesh has been possible because of 'judicial apathy, bureaucrat connivance and governmental inaction'. The Polavaram project in Khammam district, and the bauxite mining projects in the scheduled areas

of Visakhapatnam district are bound to cause extensive displacement and pollution of water sources, and the adivasis are unanimously against the projects. Although the mining sites themselves are small and largely uninhabited, the deleterious effect of mining spreads wide.

In Section 3, 'Forest Degradation and Forest Communities', Sohel Firdos's article 'Forest Degradation, Changing Workforce Structure and Population Redistribution: The Case of Birhors in Jharkhand', captures the trajectory of change in the livelihood patterns of the Birhors, one of the smallest tribal groups of central India, in the context of the massive degradation of forest resources. The degradation of forest land as well as restrictions on their access to the forest, has forced them out of their traditional sources of livelihood, hunting, gathering and rope-making. Ignorance about agricultural practices and low quality of land have been the major hindrances in their adopting agriculture as an alternative economic activity. Firdos argues that their population is getting dispersed over several districts in search of livelihoods, giving a false impression that their population is diminishing.

Deforestation in the Andaman and Nicobar Islands since Independence has threatened the habitat, inhabitants and wildlife. Pankaj Sekhsaria's article, 'Deforestation in Andaman and Nicobar: Its Impact on Onge', shows how the clearance of land for settlement and the loss of forests to logging have adversely affected the Onge. Attempts have been made through the various welfare measures, Sekhsaria argues, to encourage the Onge to give up their way of life for a more settled one, so as to open up a larger chunk of the forest for exploitation. This community of 101 individuals has little chance of being heard.

A somewhat different issue, i.e. the role of women in forest economy and in protecting forests, is the subject of DN's paper titled 'Women and Forest'. Taking the situation prevailing among the adivasis in Jharkhand as his starting point, DN argues that women do not have a monopoly of 'holistic and ecological' knowledge of nature's processes, nor do women manage the forest at the village level, as Vandana Shiva suggests. It is the male dominated village panchayat that manages the village-owned forests. Most important, the author points out that in a system where the income from the sale of forest produce goes to the individual who gathers and sells the same, introduction of commercial production of forest produce for sale, not just use, does not necessarily harm the interest of women.

Section 4 takes up the issue related to conservation and community rights. It is titled 'Conservation vs Community Rights'. Judy Whitehead, in her article, shows how Tadvi and Vassava ethnic groups of Rajpipla reconstruct their environmental and social history as a way of asserting their sense of place, as belonging, as opposed to the abstract idea of space used by the administrators and planners. The creation of Shoolpaneshwar, one of the many wildlife sanctuaries, resulted in the deprivation of the local people in the core area. Whitehead observes, 'Its villagers, nonetheless, are determined that their socially-inscribed categories of landscape be accorded equal recognition with other forms of property, arguing for their role as caretakers of the landscape, their knowledge of oral history which spans 20 generations and, and the folk heroes....'

Sagari Ramdas cites the exodus of elephants from the Lakhari Valley Wildlife Sanctuary to new areas predominantly within Odisha and neighbouring Andhra Pradesh, causing havoc to life and crops, to raise the question of causes of human-animal conflict. The destruction of the sanctuary is linked to stone quarrying, the timber mafia, mining and industrial activities. The Elephant Task Force has identified development activities such as irrigation projects, roads, railway lines, mining, high-tension electric lines, as responsible for the severe depletion of the elephant habitat. Meanwhile, the adivasis in and around the sanctuary and neighbouring Andhra Pradesh are already using the Forest Rights Act to assert their rights to restore the forest and to create a congenial environment for animal and human survival. Conservation in the sanctuary, the author suggests is possible, 'by building local people's resilience and knowledge base to learn to live with pachyderms and mitigate human- elephant conflict'.

In the case of Kaimur Wildlife Sanctuary in Uttar Pradesh, Neela Mukherjee in her article, 'Resolving People Sanctuary Conflict in Protected Areas', suggests, as several scholars and activists are doing, that taking care of people's livelihood and subsistence needs can show the way to resolve people-sanctuary conflict. Taking a cue from the people of Kushiara village, she spells out the way in which this can be done. For example, people can be granted rights to collect tendu leaves, mahua, and so on, their production can be enhanced, villagers can jointly work with the forest staff to regenerate the degraded parts of the sanctuary, to protect the wildlife from poaching, to raise nurseries, and to protect the sanctuary from thefts, forest fires and other hazards. This would not only reduce conflict, but create stakes in conservation of forest and wildlife.

The articles included in Section 5, like 'Displacement and Rehabilitation: Role of the State', deal with the issues related to displacement and resettlement, focusing on how the displaced communities negotiate their material existence, but also their identities in their alien surroundings. Mathew Areeparampil discusses the phenomenon of dispossession of the indigenous people of the Jharkhand area, due to the massive mineral exploitation programmes going on in there. Home to large numbers of indigenous groups who comprise 85–90 per cent of its total population, Jharkhand is also the site of precious mineral and natural resources, including coal, mica, iron, uranium, copper, manganese, limestone and others. The large-scale mining, industrialisation and allied activities have caused severe damage to the land and forest resources, vast areas of belonging to the indigenous areas being laid waste. It has resulted in problems of land degradation, air, water and noise pollution. Thousands of hectares of forest area have been acquired by mining companies, displacing thousands of people, and exposing them to air and water pollution, radioactivity and other hazards. The capitalist exploitation, the author observes, '... on the one hand, it has rendered ever increasing numbers of them destitute through eviction, destruction of their sources of livelihood ... on the other hand, it has utilised their destitute condition to employ them for ... sweat labour....'

Asmita Kabra's article, 'Displacement and Rehabilitation of an Adivasi Settlement', describes the process of relocation and rehabilitation of the Sahariya

tribals in Sheopur district of Madhya Pradesh. It is estimated that wildlife protected areas constitute about 5 per cent of the land area of India, with the core area constituting about 1 per cent of the land mass. The communities who traditionally inhabited the protected areas are not only deprived of their rights to resources, but also displaced from them. Taking the specific case of Kuno Wildlife Sanctuary, Kabra argues that the relocated communities have benefitted from better law and order situation, communication, availability of education and health facilities, electricity, and so on. But the loss of livelihood security and the trauma resulting from displacement is not to be underestimated. Unless the implementing agency for handling the rehabilitation programme is better prepared to handle the difficult task of rehabilitation, it will 'succeed in relocation but not really rehabilitating of forest communities'.

In her article titled, 'Sardar Sarovar Oustees', Renu Modi describes the impact of dislocation on the livelihoods of the bulk of those displaced, mainly the Bhils. Many have been rendered landless overnight, others have inadequate cultivable land, as a result, all are compelled to work as labourers at the dam site, in farms and factories in the hinterland, private homes and hotels, for as little as 10 rupee. Drawing from three independent reviews on the impact of the project, Modi lists, among others, the following negative consequences: land allotted to the affected persons was often of poor quality; families and villages were scattered over various resettlement sites; the displaced had to face hostility from the host communities.

In Section 6, 'Forest Rights Act: A Step Forward', the Forest Rights Act is discussed with respect to its provisions and its implications for the forests and forest communities, and issues raised by its implementation and non-implementation. Indra Munshi and Mahesh Rangarajan refer to the debate around the Act relating to the question of tribal rights and forest protection. Indra Munshi takes up the disagreements that the Scheduled Tribes Bill, 2005, granting forest rights to adivasis, generated among social scientists, wildlife conservationists, environmentalists, foresters, activists and other concerned citizens. She considers the objections to the Bill, and discusses the most important questions of forest and wildlife conservation and the rights of adivasis to the forest. She argues in favour of the Bill, emphasising the need to link protection of adivasi rights and livelihood, with forest conservation, through empowerment of local institutions to ensure that the success of one depends on the success of the other.

Mahesh Rangarajan emphasises the chasm between the advocates of forest land rights for the adivasis, and those in favour of state control over these lands. The discontent among adivasis and other forest communities, he argues, cannot be ignored but nor can the ecological concerns. He points out a two-track approach for the measures that strengthen the bill, one relates to the recognition of rights to the forest outside the protected areas, the other being to undertake case to case evaluation of not only the biology but also the socio- economic character of settlements within the parks and sanctuaries. 'A simple extension of the tenure approach may damage economic integrity but the absence of any law governed settlement will deny basic rights to residents. A transparent and consensual process is the only way out.'

M. Gopinath Reddy and others in their article entitled, 'Issues Related to Implementation of the Forest Rights Act in Andhra Pradesh', talk about the Act in the context of Andhra Pradesh, where, they observe, its implementation is limited 'due to a lack of coordination and transparency at various levels, as well as the continuing dominant role of the revenue and forest departments, which have inhibited democratic FRA implementation. People's institutions like gram sabhas and FRCS have been reduced to a secondary position and as a result, genuine claims have not been heard.' In some submergence areas, and areas allocated for other development projects, the government is reluctant to implement the Act, so as to avoid future legal entitlement conflicts and payment of compensation to occupants of forest lands, in violation of the Act.

In the case of Kerala, Jyothis Sathyapalan finds that the basic constraints in implementation of the Act is a lack of coordination between the various government departments, revenue, forest, which continue to be governed by their original objectives and rules. The experience from the field, the author suggests, shows that the community rights have been largely ignored in the implementation. The forest communities living in and around the protected forest areas depend on the minor forest produce for their livelihood, and it is this right to forest products that are given relatively less importance. The author finds that the individual allocation of land was inadequate to support the livelihood of a family. 'The only hope lies in community rights over using minor forest produce.'

In Section 7, which is titled 'Resource Management: By Whom and for Whom?', Amita Baviskar discusses the experience of adivasis in Jhabua, Madhya Pradesh, where forest management, forest degradation, and continuous denial of adivasi rights to the forest have resulted in ongoing conflict, which Baviskar suggests, 'today constitutes the biggest obstacles to forest conservation'.

Environmental conservation, she forcefully argues, cannot be left to the bureaucracy, it can succeed only when the state meets people's struggle for greater participation and greater rights to forests half-way. Citing a small experiment carried out by the people of a few villages in Alirajpur, Baviskar argues that people are capable of evolving a conservation strategy which addresses their needs of protecting the forest when they can see a secure future for themselves in it.

Dev Nathan and Govind Kelkar discuss the more general issue of change in production system and production norms, with the growth of market and privatisation in the indigenous communities. Transformation of the old type of production for consumption to a production system based on profit, which also marks the decline of the old forms of social welfare and reciprocity, and growing control of men on economic affairs, the authors equate with a 'civilisational' change. Such a change, privatisation and commoditisation, need not necessarily mean a total surrender to 'laissez-faire or neo-liberal policies'. They suggest that new forms of community and continued non-market access to critical resources like land and forest, would allow for a greater spread of the benefits to all members, including women. Greater local awareness and participation can create conditions for enforcement of more equitable distribution and fulfilment of basic needs.

Taking up what Emmanuel D'Silva calls a rare success story of joint forest management in Behroonguda in Andhra Pradesh, the author documents the efforts of tribal communities who formed themselves into a forest protection community, which came to be officially recognised as the Van Samarakshana Samiti (VSS) only later, to manage 500 hectares of degraded forest allotted to them as part of the joint forest management. Not only has the forest revived, its financial value increased, but also, non-timber products have re-emerged, greater employment opportunities have been created, all for the benefit of the local people. Although new problems have arisen in the new situation, the case, the author points out, 'highlights the importance of a policy framework to bring the government closer to the people and the people closer to their natural environment'.

ACKNOWLEDGEMENTS

Warm thanks are due to Johann Salazar for his hard work in putting together this volume.

References

Bara, Joseph. 2009. 'Alien Construct and Tribal Contestation in Colonial Chhotanagpur: The Medium of Christianity'. *Economic and Political Weekly* 65, 26 December.

Breman, Jan. 1996. *Footloose Labour Working in India's Informal Economy*. Cambridge: Cambridge University Press.

Chandrasekhar, C. P. 2010. 'Liberalising Loot'. *Frontline*. 16 July.

Choudhuri, Shoma. 2009. '*Weapons of Mass* Desperation'. *Tehelka*. 3 October.

Dogra, Bharat. 1990. 'Tribal Discontent: Timely Warning'. *Economic and Political Weekly* 25, 7 April.

Desai, A. R., ed. 1979. *Peasant Struggles in India*. New Delhi: Oxford University Press.

Dhanagare, D. N. 1983. *Peasant Movements in India 1920–1950*. New Delhi: Oxford University Press.

D'Souza, Dilip. 2001. *Branded by Law: Looking at India's Denotified Tribes*. New Delhi: Penguin Books.

Editorial. 2007. 'Denotified and Nomadic Tribes: A Nowhere Existence'. *Economic and Political Weekly* 42, 6 October.

Fernandes, Walter. 1993. 'Forests and Tribals: Informal Economy, Dependence and Management Traditions'. In *Continuity and Change in Tribal Society*, ed. Mrinal Miri. Shimla: IIAS.

Gadgil Madhav, and Ramchandra Guha. 1992. *This Fissured land: An Ecological History of India*. New Delhi: Oxford University Press.

Guha, Ramachandra. 1983. 'Forestry in British and Post-British India: A Historical Analysis'. *Economic and Political Weekly* 17, 29 October.

———. 1999. *The Unquiet Woods: Ecological Change and Peasant Resistance in the Himalaya*. New Delhi: Oxford University Press.

Ghosh, Arunabha. 1991. 'Probing the Jharkhand Question'. *Economic and Political Weekly* 26, 4 May.

Gnana, Prakashan. 2004. 'Tribals and their Rights to Livelihood: Tribal Right to Land in Madhya Pradesh. In *Tribal Issues in India*, eds D. C. Shah and Yatindra Singh Sisodia. Jaipur: Rawat Publications.

Heredia, Rudolf C. 2007. *Denotified and Nomadic Tribes: The Challenge of Free and Equal Citizenship.* Pune: Occasional Paper Series, Department of Sociology, University of Pune.

Hardiman, David. 1985. 'From Custom to Crime: The Politics of Drinking in Colonial South Gujarat'. In *Subaltern Studies IV*, ed. Ranjit Guha. New Delhi: Oxford University Press.

International Work Group for Indigenous Affairs. 1998. *Advasis—Indigenous Peoples in India A Brief Situationer, South Asia Regions.* Delhi: International Alliance of Indigenous and Tribal peoples of the Tropical Forest.

Joshi, Vidyut. 1998. *Tribal Situation in India: Issues in Development with Special Reference to Western India.* Jaipur: Rawat Publications.

Karuppaiyan, E. 1990. 'Alienation of Tribal Lands in Tamil Nadu'. *Economic and Political Weekly* 25, 2 June.

Kishwar, Madhu. 1987. 'Toiling without Rights: Ho Women of Singhbhum'. *Economic and Political Weekly* 22, 17 January; 22, 24 January; 22, 31 January.

Kosambi D. D. 1976. *The Culture and Civilisation of Ancient India in Historical Outline.* Delhi: Vikas Publishing House.

Kulkarni, S. D. 1974. 'Alienation of Adivasis Lands, Government Not Serious'. *Economic and Political Weekly* 9, 31 August. Vol. IX.

Mahaprashasta, Ajoy Ashirwad. 2010. 'FDI vs Tribes'. *Frontline.* 16 July.

Munshi, Indra. 1995. 'Oh Drinking and Drunkenness: History of Liquor in Colonial India'. *Economic and Political Weekly* 30, 16 September.

———. 1996. 'Colonialism and Professionalism *A German Forester in India*'. *Economic and Political Weekly* 3, 25 May.

———. 1997. '*Colonial Forest Regulations* and Collective Resistance: Nineteenth-century Thana District'. In *Essays in Environmental History of South and South Asia*, eds Richard H. Grove, Vinita Damodaran and Satpal Sangwan. New Delhi: Oxford University Press.

Nathan Dev, Govind Kelkar, and Pierre Walter. 2004. *Globalization and Indigenous Peoples in Asia.* New Delhi: Sage Publication.

Report of the National Commission for Scheduled Caste and Scheduled Tribes, Seventh Report 2001–2002, 2004.

Pathy, Jaganath. 1998. 'Contemporary Struggles of the Tribal Peoples of India'. In *Towards People-Centred Development*, eds Murli Desai, Anjali Monteiro and Lata Narayan. Mumbai: Tata Institute of Social Sciences.

———. 2005. 'Tribe Religion and Nation in the Content of the Indian State'. In *Tribal Communities in Social Change*, ed. Pariyaram M. Chacko. New Delhi: Sage Publications.

Prabhu, Pradeep. 1998. 'Tribal Movements : Resistance to Resurgence'. In *Towards People-Centred Development*, eds Murli Desai, Anjali Monteiro and Lata Narayan. Mumbai: Tata Institute of Social Sciences.

Patel, Arjun. 2004. 'Pattern of Development and Tribal Migration: A Case of Tribes from Dangs and Panchmahal in Gujarat'. In *Tribal Issues in India*, eds D. C. Sah and Yatindra Singh Sisodia. Jaipur: Rawat Publications.

Radhakrishna, Meena. 2001. 'Dishonoured by History : Criminal Tribes and British Colonial Policy'. Hyderabad: Orient Longman.

Ramakrishnan, Venkitesh. 2010. 'Gold Rush'. *Frontline.* 16 July.

Rao Nitya, and Kumar Rana. 1997. 'Land Rights and Women: Case of Santhals'. *Economic and Political Weekly* 32, 7 June.

Rao Laxman S., Priya Deshingkar, John Farrington. 2006. 'Tribal Land Alienation in Andhra Pradesh: Processes, Impacts and Policy Concerns'. *Economic and Political Weekly* 61, 30 December.

Ratnagar, Shereen. 2010. *Being Tribal.* Delhi: Primus Books.

Sah, D. C., and Yatindra Singh Sisodia. 2004. *Tribal Issues in India.* Jaipur: Rawat Publications.

Savyaschi. 2005. 'Rights, Globalisation and Governance'. *Alpjan* 4, October–December.

Singh, Birinder Pal, ed. 2010. *'Criminal' Tribes in Punjab A Socio-Anthropological Enquiry.* Delhi: Routledge.

Singh, K. S. 2005. 'Foreword'. In *Tribal Communities and Social Change,* ed. Pariyaram M. Chacko. New Delhi: Sage Publications.

____. 2006. *Tribal Movements in India.* Delhi: Manohar.

Sundar, Nandini. 2007. *Subalterns and Sovereigns: An Anthropological History of Bastar 1854–2006.* New Delhi: Oxford University Press.

Xaxa, Virginius. 1999. 'Transformation of Tribes in India: Terms of Discourse'. *Economic and Political Weekly* 34, 12 June.

____. 2007. *Tribes, Forest and Livelihood.* Mumbai: Occasional Paper Series, Department of Sociology, University of Mumbai.

Section I

Regulations and Resistance, Adivasi Communities in the Colonial Context

1

Forestry in British and Post-British India

A Historical Analysis[*]

Ramachandra Guha

There has been, of late, a growing awareness of the environmental problems facing the country, especially the depletion of our forest resources. The controversy about the draft Forest Act, 1980, and the struggles of the forest-dwellers, which this debate has brought to the fore, has necessitated an examination of the forest policies followed by successive governments. The analysis of colonial and post-colonial forest policy, in this chapter, concentrates on the social relationships through which changes and continuity in state policies are invariably manifested. As such, quantitative indicators of change are largely outside the scope of this study. Indeed, the unreliability of Indian forest statistics, and the large gaps in them, is another factor determining the line of enquiry followed here.

Our main emphasis will be in unravelling the historical process whereby, through the development of forestry policy, management and legislation, the traditionally held rights of forest communities have been progressively curtailed. The strategies forged by forestry policy and management in order to achieve its ends can be located in its socio-historical context—in particular, within the nexus of power relationships obtaining in society. It is important to note that, while the development of social policy, and its application, is determined largely by the needs of the dominant groups in society—in this case, by the strategic needs of the colonial state, or after 1947, by the pattern of industrialisation—the resistance offered by underprivileged groups can introduce important modifications. Thus the ongoing conflicts and tensions between contending social groups, and their differing access to resources and levers of power, are reflected in the historical evolution of forestry in India.

---

[*] *Economic and Political Weekly* 18 (44), 29 October 1983.

By 'forest communities', we refer to those people whose existence depends on a close and ecologically sustainable relationship with the forest they inhabit. In the pre-colonial period, this category would include the tribals of peninsular India—e.g., those living in the Chhotanagpur and Dandakaranya regions—and the inhabitants of the Himalayas, both those following settled agriculture and nomadic practices. This chapter will continually shift between two levels. Thus an examination of the broad contours of forest policy at an all-India level will be juxtaposed with its workings in the specific setting of forest communities in general and Garhwal in particular. We believe that such an approach is legitimate for at least three reasons:

(1) From the inception of organised forestry in India, state forestry practices here impinged on these communities whose habitats has contained the richest natural forest—a forest, consequently, most amenable to commercial exploitation.
(2) These regions have experienced a succession of forest-based movements in response to state intervention—from the resistance offered to early colonial forest administration right down to the ongoing struggles of the present day.
(3) Finally, it is in such areas that the intrusion of commercialisation has led to substantial deforestation and allied ecological degradation.

Our analysis and presentation of data will necessarily be constrained by the approach we have adopted, and many relevant aspects of Indian forestry will be glossed over. The importance of the problem, in view of the growing polarisation between state machinery, on the one hand, and forest-dwellers, on the other, has compelled us to present our findings in this tentative fashion.

I

FORESTRY IN COLONIAL INDIA

Forest Economy in Pre-British Days

It is difficult to reconstruct the picture of the economy of the 'forest-dwellers' before the British intervention. Such reconstruction has to be done largely from the writings of the colonial administrators themselves.[1] It would seem, however, that by and large the rural communities enjoyed untramelled use of the forests and wastes in their vicinity. This would be true of villages practising settled (plains) agriculture as well as those that depended more directly on their forest habitat. In Garhwal, for example, 'the waste and forest lands never ... attracted the attention of former [i.e., pre-British] governments' (Pauw 1896: 53). While the native kings did subject the produce of the forests (such as medicinal plants) to a small cess as and when they were exported, the products of the forests consumed by the people themselves were not taken into account (Atkinson vol. 1, 1884). Similarly, it was reported from Madras that villages had traditionally owned all forests within their boundaries (Stebbing vol. I, 1922–27, p. 14 ff).[2] Such a situation would have arisen in a state of equilibrium, arrived at through a process of conflict and struggle between the feudal

state and the village communities under its aegis. This equilibrium entailed payment of a certain tribute by the peasantry to the feudal authority, which in turn recognised the existence and continuation of certain communally-held rights in relation to forests and waste land (Guha 1982).[3] The freedom enjoyed here was extensive—according to an official handbook of the Forest Department (hereafter FD), under the 'oriental governments' that preceded the Raj, 'anyone was accustomed, without let or hindrance, to get what he wanted from the forest to graze his cattle where he liked, and to clear jungle growth for cultivation wherever he listed' (Handbook of Exhibits of the Indian FD at the Chicago exhibition 1893: 262). Supportive evidence also comes from the historical experience of pre-capitalist Europe, where villages invariably resisted any attempt to curtail traditionally held rights over forest produce arid pasturage.[4]

The forest-dwellers, of course, depended on their natural habitat in a multitude of ways. An adequate forest cover was ecologically necessary to sustain cultivation on hilly terrain, whether it was *jhum* (shifting-cultivation) or cultivation of the terraced variety (Singh IF 100 1974: 367–70).[5] In addition, the forests themselves provided a reserve of food that could be consumed throughout the year. The Indian Famine Commission of 1881 has detailed 31 species of trees whose produce was consumed as food by the tribes of the Satpura Hills, in different seasons, including fruits, flowers, buds, young shoots, seeds, etc. both in raw and cooked form.[6] (In fact, peasants and tribals in forest areas normally know of over a hundred natural products, besides the staples, that can be gathered without cultivation.) (Kosambi 1965: 34). And where animal husbandry was a valuable appendage to cultivation (as in the Himalayan foothills), the forests were a prime source of fodder, in the form of grass and leaves.

It is important to stress that this dependence was institutionalised through a variety of cultural and religious mechanisms which enabled the forest-dwellers to reproduce their existence. In tribal India, even today, 'it is striking to see how in many of the myths and legends the deep sense of identity with the forest is emphasised' (GoI vol. I, 1960–61: 125). The area cultivated by different families under jhum adhered to boundaries established and respected by tradition.[7] Dietrich Brandis, the first Inspector General of Forests (hereafter IGF), found that sacred groves, the traditional form of sacred presentation, were very numerous, and that they existed in nearly all the provinces of British India (Brandis 1897: 12). As late as in 1953, an eminent botanist reported that 'the largest deodar (Himalayan cedar) are those which are planted near temples and which are venerated and protected from injury' (Bor 1963: 18).

The Early Period of British Rule

Among Britain's colonies, 'India stood pre-emient by reason of its vastness, the density of the population, and the *seemingly immeasurable extent of its natural* resources' (Whitcombe vol. I, 1971: p. ix [emphasis added]). The early days of British rule were characterised by a total indifference to the needs of forest conservancy—

indeed, up to the middle of the nineteenth century, the Raj saw a 'fierce onslaught on India's forests' (Smythies 1925: 6). This dessication, which was primarily due to the demands made by the occupation for military purposes and to supply the teak export trade, was hastened by the attitude prevalent among administrators that the forests represented an obstruction to the 'prosperity' of the country, as their removal would add to the class of land paying revenue. The greatly settled political conditions following British rule facilitated the extension of cultivation in order to augment revenue for 'the whole policy of the time was to extend agriculture, and the watchword of the time was to destroy the forests with this end in view' (Stebbing vol. I, 1922–27: 61–62).[8] A corollary to this policy was that the people's rights in forests and wastes continued to be exercised unrestrictedly.

The first show of interest in forestry—the reservation of teak in Malabar in 1806 was predictably dictated by imperialist considerations. By the sixteenth century, much of western Europe had been deforested, and northern Europe was supplying Britain with large quantities of wood. Between 1600 and 1700, Ireland's forests were devastated to meet England's needs of timber for shipbuilding, iron smelting, and tanning (Wallerstein 1974: 281).[9] With oak forests vanishing in England, a permanent supply of suitable timber was required for the Royal Navy and 'for the safety of the empire depended on its wooden walls' (Stebbing vol. I, 1922–27: 63). This was the period of fierce competition between the colonial powers, and Indian teak, the most durable of shipbuilding timbers, saved England during the war with Napoleon and the later maritime expansion. Ships were built in dockyards in Goa and on the Malabar Coast, as well as from teak imported into England (Albion 1926: 35–36, 363–68).[10]

The Railways

The crucial watershed in the history of Indian forestry is undoubtedly the building of the railway network. This was created to meet the need for rapid troop communication felt after the Mutiny and for enabling the characteristic pattern of colonial trade—i.e., export of primary commodities from the colony and import of finished goods into the colony from the metropolis. Lord Dalhousie, in a famous minute of 1853, while visualising a vast market for British manufactures in the most distant parts of India, also saw that railway construction represented, for surplus British capital seeking outlets abroad, the best opportunity for investing that capital (Prasad 1960). Dominion enabled Britain to build, *at Indian cost*, a system of road and rail transport which linked the colonial ports to their hinterland and tilted\the terms of trade in favour of her own nationals who dominated India's foreign trade (Gallagher and Seal 1981: 387).

The early years of railway expansion saw an unprecedented assault on the more accessible forests. Great chunks of forests were destroyed to meet the demand for railway sleepers, no supervision was exercised over the felling operations, and a large number of trees being felled whose logs could not be utilised (Stebbing vol. I, 1922–27: 298–99). The sub-Himalayan forests of Garhwal and Kumaon, for example,

were all '*felled in even to desolation*' while 'thousands of trees were felled which were never removed, nor was their removal possible' (Pearson vol. II, 1869: 132–33 [emphasis in original]). Private contractors, both Indian and European, were chiefly responsible for this devastation, the forests of native rajahs not escaping their hand (Paul 1871: 30). Before the coal mines of Raniganj became fully operative, the railway companies also indulged in widespread use of local timber as fuel for the locomotives. In the North-Western Provinces, the railway companies drew their fuel directly—and cheaply—from local timber until 1880s, causing considerable deforestation in the Doab.[11]

This depredation finally awoke the colonial authorities to the fact that India's forsests were not inexhaustible. Railway expansion continued unabated (see Table 1.1), and the methods by which private enterprise were working the forests forced the state to step in to safeguard 'their long-term imperial interests' (Sagreya 1979: 8). Dubbing the forest administration up to the Mutiny a 'melancholic failure', the Governor General had in 1862 called for the establishment of a department that could ensure the sustained availability of the enormous requirements of the different railways for sleepers (Stebbing vol. I, 1922–27: 523ff). As one officer later reminisced: 'The Forest Department was started because government became aware that the magnificent forests of India and Burma were being worked by private enterprise in a reckless and wasteful manner, and were likely to become exhausted if supervision were not exercised' (Webber 1902: xii–xiii). The crisis was all the more acute since only three Indian timbers—teak, sal and deodar—were strong enough in their natural state to be utilised as railway sleepers. Sal and teak, being available near railway lines in peninsular India, were very heavily worked out in early years, necessitating expeditions into the north-western Himalayas to search for deodar forests. The deodar of the Sutlej valley was rapidly exhausted in the years following the inception of the FD, leaving only some deodar forests in the Jumna valley as a

TABLE 1.1: Railway Expansion in India, 1853–1910

Year	Kilometrage	Outlay (Rs million)	Net earnings (Rs million)
1853	32	3.8	0.05
1860	1,349	266.6	3.0
1870	7,678	900.0	30.3
1880	14,745	1,285.7	63.9
1890	26,395	2,136.7	103.6
1900	39,834	3,296.1	164.5
1910	51,658	4,390.5	239.9

Source: Government of India, 'History of Indian Railways', Delhi, 1964, p. 214.

possible reserve (Paul 1871 and Brandis IF 4(1879): 365–85).[12] From these latter forests alone, over 6,50,000 deodar sleepers were supplied in the period 1869–85 (Hearle 1888: 16).

It was in this situation that the Imperial FD was formed, in 1864 with the assistance of German foresters. However, the task of checking the deforestation of the earlier decades and 'consolidation of the forest estate' could not be accomplished without the assertion of state monopoly right over forest. It was in this dual sense that the railways proved to be the watershed with respect to forest administration in India—the need was felt to start an appropriate department, and for its effective functioning the enactment of legislation to curtail the previously exercised unlimited rights of users was required. The latter feature marked the beginning of a progressive curtailment of these rights, and was an especially difficult task since it ran contrary not only to the traditional practices of village and especially tribal communities, but also to earlier colonial agrarian policy in India. While, by and large, the British followed a *laissez-faire* policy that allowed the villagers to freely roam about in the forests and utilise its produce, there is also definite evidence from certain areas that 'all land of every description was made over in absolute right to the community, subjects only to the yearly payment of rent fixed' (Dasgupta 1918–1923).[13]

The first attempt at asserting state monopoly right was through the Indian Forest Act of 1865, which was replaced by a much more comprehensive piece of legislation 13 years later.[14] The provisions of the 1878 Act ensured that the state could demarcate 'valuable' tracts of forest, needed especially for railway purposes, and retain enough flexibility over the remaining extent of forest land to revise its policy from time to time. Monopoly right was established by a legal sleight of hand, which sought to establish that the customary use of forest by the villagers was based not on 'right' but on 'privilege' and that this 'privilege' was exercised only at the mercy of the local rulers. Since the British were now the rulers, the rights of absolute ownership were held to be vested in them. As one officer bluntly stated in 1873, 'the right of conquest is the strongest of all rights—it is a right against which there is no appeal' (Brandis and Smythies 1876: 27). The 1878 Act was the means by which the success of this sleight of hand was assured.

The Alienation of Forest-Dwellers

This progressive dimunition of 'rights', and the consequent loss of control over their natural resources, evoked a sharp reaction from the forest communities. From the early days of forest administration, there have been revolts in different tribal areas centred around the question of forests. These revolts, which attempted to restore a 'golden past' where the tribal roamed freely in his forest habitat, were swiftly crushed by the colonial state. Nevertheless, they recurred throughout the period in almost all tribal areas, where 'forests have always been the fortress of social movements against successive governments' (Guha 1982).[15]

Even where the discontent did not manifest itself in popular revolt, the loss of control over forests was acutely felt by the rural communities thus deprived. The

Forest Settlement Officer of British Garhwal, at the time of the constitution of the reserved forests in 1913, commented that:

> ... the notion obstinately persists in the minds of all, from the highest to the lowest, that government is taking away their forests from them and is robbing them of their own property.... The notion seems to have grown from the complete lack of restriction or control over the use by the people of waste land and forest during the first 80 years after the British occupation. The oldest inhabitant, therefore, and he naturally is regarded as the greatest authority, is the most assured of the antiquity of the people's right to uncontrolled use of the forests; and to a rural community there appears no difference between uncontrolled use and proprietary right. Subsequent regulations—and these are all comparatively very recent—only appear to them as a gradual encroachment on their rights, culminating in a final act of confiscation. [My] best efforts however have, I fear, failed to get the people generally to grasp the change in conditions or to believe in the historical fact of government ownership. (Nelson 1976: 10–11)

In Garhwal, the reservation of forests in 1913 was followed by extensive social movements in 1916 and 1921, the latter one coinciding with the first non-co-operation movement and engulfing large areas of Garhwal and Kumaon. While these upsurges forced the government to de-reserve large forest areas, the discontent about the onerous forest restrictions was manifest in the continuing unwillingness of the villagers to cooperate with the FD in its tasks (Brahmawar 1932).

TABLE 1.2: Revenue and Surplus of Forest Department, 1869–1925

Yearly Average for the Period	Revenue (Rs million)	Surplus (Rs million)	Percentage of Column 3 to Column 2
(1)	(2)	(3)	(4)
1869–70 to 1873–74	5.6	1.7	30
1874–75 to 1878–79	6.7	2.1	31
1879–80 to 1883–84	8.8	3.2	36
1884–85 to 1888–89	11.7	4.2	36
1889–90 to 1893–94	15.9	7.3	46
1894–95 to 1898–99	17.7	1.9	45
1899–1900 to 1903–04	19.7	8.4	43
1904–05 to 1908–09	25.7	11.6	45
1909–10 to 1913–14	29.6	13.2	45
1914–15 to 1918–19	37.1	16.0	43
1919–20 to 1923–24	55.2	18.5	34
1924 to 1925	56.7	21.3	38

Source: E. P. Stebbing, 'The Forests of India', vol. III, London: John Kane, The Bodley Hill, 1922–27, p. 620.

This historical process had several salient features that need to be remarked upon. At the most fundamental level, the demarcation and fencing of large tracts of reserved forest meant an effective loss of control by the forest-dwellers over their habitat—a control so necessary for the reproduction of their existence. Inevitably, increased pressure was felt on the forests that did remain open to them, thereby hastening their destruction.

Secondly, though the state had, in certain areas, made over some forests under the settlement, for the villagers to utilise (the so-called 'third class' or 'village' forests), the loss of community ownership had effectively broken the link between man and forest. Thus the superintendant of Dehradun, commenting on the attitude of the villagers of Jaunsar-Bawar towards the forest settlement, said that 'not altogether without reason, the villagers believe that any self-denial or trouble they may exercise in preserving and improving their third class forests will end in appropriation of the forests by the [forest] department as soon as they become commercially valuable'. The anthropologist Verner Ellun too has talked about the 'melancholy' effect forest reservation had on the tribals of middle India, for whom nothing aroused more resentment against the government than the taking away of the forests they regarded as 'their own property'! (Elvin 1960: 86ff).

This alienation of man from forest can be compared to the alienation Marx talks about—that of the primary producer after being separated from the means of production. For, before the British intervention, the forest-dwellers, and more particularly the adivasis, 'were *free men*, owning the means of production' (DeSilva, Mehta, Wignaraya and Rahman 1979: 11 [emphasis in original]).

Thirdly, the large areas of forests under the Indian rajahs were also drawn in, though indirectly, into the orbit of colonial capitalist expansion. (This was notably the case in the north-west Himalayas, where the finest stands of deodar were found in the forests of Tehri Garhwal and the Punjab Hill chiefs.) The exploitation of these forests, either by agency of the colonial state, or, in the later stages, directly by the rajah, introduced a qualitative change in the relationships between ruler and subject. As, over time, the native rulers became 'generally very much alive to the value of their forest properties' (Smythies 1925: 27), they severely curtailed the traditionally held rights of the subject communities. Thus the rajah of Tehri Garhwal leased valuable tracts of deodar forest to the British—which, divested of any existing rights of user on part of the surrounding villages, were worked from 1885 to 1925. The enormous value of the forests being evidenced by the average annual profit of over Rs 1.6 lakh between 1910 and 1925, the raja did not renew the lease and henceforth worked the forests (with professional help from the colonial FD) exclusively for his own profit (Mobbs 1926). As a result, there were sporadic *dhandaks* or forest movements in Tehri Garhwal since the early years of the century.[16]

This history of conflict and struggle can be seen essentially as emanating from alternate conceptions of property rights and obligation. There did not exist a developed notion of private property in these tribal and peasant communities, where the relationship to the overlord was expressed in terms of mutual obligations which had to be fulfilled. Colonial rule, on the other hand, was based on a notion of private

property that ran contrary to the experience of these communities; moreover, the state dealt with its subjects, individually, in an impersonal fashion via the medium of an abstract rule of law that was, in theory, neutral. As a consequence, the individual was now brought *directly* under the subjugation of the colonial state, without the benefit of the mutual aid system of the community acting as a cushion. The tribals, especially, were confronted with the vagaries of the colonial market economy that continually eroded their lifestyles—simultaneously, the assertion of state primacy over natural resources deprived them of an important subsidiary means of subsistence (Rao vol. II, 1979: 106ff; Dasgupta 1918–1923).[17] J. A. Voelcker, an agricultural expert called in by the colonial authorities, summed it up thus: 'The tendency of our system of government has, to a considerable extent, been to *break up* village communities, and now for the most part they are heterogenous bodies rather than communities' (Voelcker 1897 [first published 1893]: 16 [emphasis in original])

Bureaucratic Response

The circumstances under which state monopoly right was asserted and the unrest in its wake brought to the fore the division within the colonial bureaucracy—a division between the revenue and law and order administration, on the one hand, and the forest department, on the other. This schism was based on antagonisms of interest and differences of standpoint.

The district officer, entrusted with the maintenance of law and order, was concerned at the discontent engendered by the new forest rules. Moreover, the previous policy being that of extending cultivation at the expense of forest, the revenue-generating possibilities of forest land were not immediately apparent. The roots of this antagonism were succinctly stated by C. F. Amery in the first volume of the 'Indian Forester':

> Till a few years back the district officer had sole control of all lands in his district, and the unoccupied lands were his chief means of conferring patronage; he could give or lease them, or confer or confirm privileges in them. If troubled with lawless tribes of *budmashes* he could offer them land as an inducement to settle to honest pursuits, and if a keen *shikari*, the forests were his sole and undisputed game preserves. Apart too from all departmental and personal interests, his standpoint is different, his recollection carries him back to days when the forest as such yielded so little revenue, that it was often as well to let the people help themselves to its products and graze their cattle in it, as to be at the worry and cost of collecting the revenue: when every acre broken up for cultivation yielded more revenue than a hundred acres of forest land besides enlarging the capabilities of the district, and promoting the well-being of the people; to a time when in fact the amount of forest broken up for cultivation became the recognised measure of a district officer's capability and tact. (Amery IF, 1(1876): 295).[18]

Interestingly, the objections to the work of FD, though essentially relating to the increased threat to law and order, were often couched in more readily comprehensible terms Voelcker, for example, criticising the FD for not directly serving the interests of agriculture, advocated the creation of 'Fuel and Fodder Reserves'. He justified

this policy on the grounds that, in the long run, any 'possible diminution' of forest revenue 'may be attended by increased revenue to the state from cultivated land' (Voelcker 1897 [first published 1893]: 147).

The FD, on their part, strongly, resented the impediments put in their path by the district administration. The early years of the 'Indian Forester' contain several attacks on district officials who, though knowing 'nothing of forest matters', had an influence on forest administration out of all proportion to their knowledge and 'steadily opposed the rational treatment of the forests' (Anon IF 19(1893): 92–93).[19] Another frequent complaint was that the district officers were reluctant to hand over forests and wastelands that came under the operations of the Forest Act—and when they did, the endeavour was to enlarge the record-of-rights to the fullest extent. Forests were thus unnecessarily burdened with rights, to the detriment of the government's legitimate revenue (Anon IF 13[1887]: 404).

The state's response to this division was to entrust each arm of the bureaucracy with separate, *apparently* conflicting tasks. At the behest of Baden-Powell, one of the architects of the 1878 Act, forest settlements were effected *in all cases* by a land revenue or 'civil' official, who was to ascertain the FD's requirements from the forest to be reserved, and then see 'how far these requirements can be met' (Baden-Powell and Gamble 1874: 23). The civil officials, in addition, were to be in charge of the punitive sanctions of the forest act, so as to 'prevent any further interference with the people than is necessary for efficient protection'.[20] This 'carrot and stick' approach was called for by the 1894 resolution on forest policy, one necessitated by the 'strict forest administration which has prevailed of late years [and] has given rise to serious discontent among the agricultural classes'. This more 'lenient' policy, ostensibly dictated by considerations of serving the peasantry more directly, asked for more liberal provisions of fuel, fodder, grazing, etc.—i.e of previously

TABLE 1.3: India's Forests and the Second World War

Year	Out-turn of Timber and Fuel (in cuft)	Out-turn of FD (Rs)	Revenue of MFP (Rs)	Surplus of FD (Rs)	Area Under Sanctioned Working Plans (sq miles)
1937–38	270	11.9	—	—	62,532
1938–39	299	12.3	29.4*	7.2*	64,789
1939–40	294	12.1	32.0	7.5	64,976
1940–41	386	12.5	37.1	13.3	66,401
1941–42	310	12.7	46.2	19.4	66,583
1942–43	336	12.9	65.0	26.7	51,364
1943–44	374	15.5	101.5	44.4	50,474
1944–45	439	16.5	124.4	48.9	50,440

Note: * Average for the period 1934–35 to 1938–39.
Source: Compiled from *Indian Forest Statistics, 1939–40 to 1949*, Delhi, 1949.

those requirements that Voelcker had called for. However, this provision for local requirements was to be made only 'to the utmost point that is consistent with imperial interests'.[21]

This forest policy, which guided colonial administration upto 1947, envisaged the benevolent paternalism of the district official acting as an arbiter between the FD and the people. Closer co-operation and constant consultation between the FD and revenue officials, was urged—the maxim prescribed for the forest officer was one of *festina lente* (hasten gently) even if this involved a deviation from perfect measures of regeneration or the extraction of trees for local use over and above that laid down by the record-of-rights (Nelson 1976: 18).[22] At the same time, it was stressed that the detailed application of these principles must depend on local conditions—moreover, whenever, concessions were granted to the local population (such as the throwing open of reserved forests for grazing), it was best to make them for a limited period, say 10 or 20 years, so that they could be reviewed as circumstances changed.[23]

Forest Policy upto 1947

The administration of the forest 'estate' of British India was contingent on the strategic imperial interests it served—first, during the period of railway expansion, and later, during the two World Wars. At the same time, however, the FD had to generate an adequate revenue to justify its existence, in keeping with a fundamental tenet of imperial policy, *viz*, that the administrative machinery had to be self-supporting.[24] As such, a constant endeavour was to find markets for the multiple species of India's tropical forests—a difficult task, since, in these rich mixed forests, only a few species, often comprising less than 10 per cent of the total crop, were saleable. Another difficulty was that of communication—many forests, though containing commercially valuable species, were rendered 'useless' by their inaccessibility (Smythies 1925: 577 ff).[25] The stagnant nature of industrial development in the colonial period thus inhibited full commercial utilisation of forest produce.

Nevertheless, as Table 1.2 shows, the FD consistently showed a handsome surplus on account. This was, made possible by the requirements of urban centres for fuelwood, furniture, building materials, etc. while supply was facilitated by the improved communications the railway network brought about (Tucker 1979: 273–300). Thus the forests of Garhwal provided bamboo and sal for the urban markets of Punjab and the United Provinces and for the military cantonments and hill stations that were a creation of colonial rule (Walton 1910: 13ff; Hearle 1889). The railways continued to be an important buyer and, as late as in 1929, a government committee urged that the FD and the railways work closely together, especially with regard to the treatment of railway sleepers—pointing out that 'in many cases the interests of the two departments are identical'.[26]

After years of research, the antiseptic treatment of inferior timbers (such as chir and blue pines) for use as railway sleepers was made possible on a commercial scale in 1912 (see Pearson vol. III, part I, 1912). In the following year, the extensive pine

forests of Garhwal were reserved—thus largely obviating any need to import wood or to search for metal and concrete substitues. The teak export trade continued to be paying, with over one million pounds of teakwood being imported annually into Britain from India and Europe. The development of Minor Forest Produce (MFP) was also taken up in the twentieth century. These MFP were found to have a variety of industrial uses abroad. And, as India was the only source in the Empire for several of the more valuable ones—e.g., resin and turpentine, tanning materials such as kuth and nyrabolans and essential oils—the foreign trade in these products showed a rapid rise (see especially Smythies 1925: 82–91).[27]

A feature common to the different types of forest exploitation, whatever the end uses of the product, was the exclusion of those communities into whose habitat such policies intruded. For the colonial administrators, forests that did not contain marketable produce were considered to have no value (ibid.: 133 of also Atkinson, vol. I, 1884: 869). According to G. P. Paul, when that timber floated down the Himalayan rivers had reached the catching stations in the plains, it 'thence forward enters into the useful necessaries for the comfort of the human race' (Smythies 1925: 74), thereby implying either that the forests had no value for the hill agriculturists or were not meant for their use. Such an elitist orientation consistently denied the right of the forest-dwellers over the natural resources in their vicinity—at the

TABLE 1.4: Estimated Figures of Roundwood Production in India, 1966–77
(million cubic metres)

Year	Production of Round (Total)	Fuelwood and Charcoal	Industrial Roundwood Production	Pulpwood Production
1966	102.28	93.76	8.52	0.31
1967	104.95	96.09	8.86	0.31
1968	107.60	98.49	9.11	0.31
1969	108.39	99.00	9.39	0.32
1970	111.90	102.11	9.79	0.37
1971	114.72	104.59	10.13	0.38
1972	117.56	107.14	10.42	0.58
1973	120.76	109.77	10.99	0.84
1974	124.20	112.48	11.72	1.12
1975	127.59	115.28	12.31	1.22
1976	131.15	118.18	12.97	1.36
1977	134.37	121.16	13.21	1.26

Source: FAO, *Yearbook of Forest Products, 1977*, Rome, 1979.

same time, the mercantile interests of British colonial rule ensured that ecological considerations were generally of secondary importance. Historically, this attitude has been the precursor of the class orientation of Indian forestry right up to the present time.

The Two World Wars

The World Wars saw India's forests being requisitioned for the imperial cause. In fact, it was only during the 'Great War' that the enormous potential value of India's forests for the Empire was fully realised (Stebbing vol. I, 1922–27: 36). Every possible effort was made to substitute indigenous timbers for imported ones. Timber and bamboos were supplied for construction of bridges, piers, wharves, buildings, huts and lines and ships. In little over a year (April 1917 to October 1918), 228,076 tons of timber (excluding railway sleepers) were supplied by the specially created 'Timber Branch' of the Munitions Board, while 50,000 tons of fodder grasses were exported (in the same period) to help military operations in Egypt and Iraq. Approximately 1.7 million cubic feet of timber (mostly teak) were exported annually between 1914 and 1919 and the indigenous resin industry proved to be a great boon at a time when American and French supplies were unavailable. Due to the war various species, previously unsaleable, were no longer so (Stebbing vol. III, 1922–27; Smythies 1925: 13, 82, 84, etc.).

The impact of the Second World War was more severely felt on the Indian forests. Early in 1940, a Timber Directorate was set up in Delhi to channel supplies of forest produce from the provinces. India was the sole supplier of timber to the Middle Eastern theatre of war, and later on to the Allied Forces in Iraq and the Persian Gulf. The war became an 'over-riding objective as timbers had to be found to replace the few that had hitherto ruled the market and were now unobtainable—the Forest Research Institute dedicated itself solely to this task. The cessation of the import of structural steel brought an urgent demand for wood substitutes' (GoI 1948; Champion and Osmaston; Stebbing 1962).[28]

Table 1.3 gives an indication of the war demand and efforts to meet it. The figures relate to recorded fellings in state forests only; the available evidence points to considerable over-fellings in forests of both private-owners and native states, as well as to unrecorded fellings in government forests—all to meet the war demand. While 'fellings and sawings were pushed into the remotest forests of the Himalayas and into the densest jungles of the Western Ghats', the only limit to the exploitation of previously un-worked forests was the availability of labour. The recorded figures show an increase over pre-war outturn of about 65 per cent. However, it was admitted that due to the varying circumstances in which felling took place, an accurate estimate of the damage done to forest capital was not possible for the government forests, on the average, these excess fellings were estimated as being as much as six annual yields (GoI 1948: 107). The working plan prescriptions in reserved forests were 'considerably upset by excess fellings during World War II' (Lohani 1962: 68).[29] As can be seen from Table 1.3, the accelerated fellings in the last years of the war

coincided with a sharp drop in the area covered by working plans, implying that much felling was carried out without the supervision required to ensure proper regeneration.

As at the time of the building of the railway network, India's forests proved to be an important strategic raw material in the imperial scheme of things. Having learnt their lesson at the time of the reservation of the forests, the colonial rulers thenceforth retained control over forest resources, especially those conveniently situated and containing durable and versatile commercial timbers, such as teak, sal, pine and deodar. This naturally entailed a restriction on the use of forests by the surrounding population—a restriction regarded as 'inevitable' if the paramount imperial interest was to be served.

II

POST-COLONIAL FOREST POLICY

The continuity between colonial and post-colonial forest policy is provided by two official documents: the post-war scheme enumerated by the then IGF in 1944, and the national forest policy of 1952 (Howard 1944; GoI 1952).[30] It is also noteworthy that one of the first government publications, pertaining to forests in independent India, was intended to publicise the contribution of the country's forests towards the 'war efforts' (GoI 1948).

The 1952 statement affirms that the 1894 policy 'constitutes the basis for the forest policy of India upto this day', while its 'fundamental concepts ... still hold good' (GoI 1948: 15, 26). Apart from the populist rhetoric in which it is couched, this policy shares with its predecessor certain other important features:

(1) There is an explicit assertion of state monopoly right at the expense of the forest communities. This exclusion is legitimised in the name of the 'national interest', so as to ensure that the 'country as a whole (sic)' is not deprived of a 'national asset' by the mere 'accident of a village being situated close to a forest' (ibid.: 29).

(2) As in the 1894 statement, there is an enumeration of objectives without any examination of how far these aims could be conflicting, both at the local and national levels. Thus the main prongs of the policy were identified as six-fold, via, the need for (a) balanced and complementary land use, (b) checking denudation, (c) afforestation (d) increased supplies of fuel, grazing and small timber to the agriculturist, (e) the sustained supply of timber and other forest produce required for defence, communications and industry, and finally, (f) the need for the realisation of maximum annual revenue in perpetuity consistent with objectives (a) to (e). Yet, there is no awareness of whether objective (f) could at all be compatible with (a) to (e), especially in a so-called 'welfare state'. Moreover, the listing of objectives, without any clear priority being assigned among them, is understandable only in the context of the retention of the flexibility germane to the successful (from its own standpoint) implementation of colonial policy (Gupta 1978: 14).[31]

The unquestioning acceptance of colonial norms, especially with regard to the usurpation of state monopoly right, has characterised post-colonial policy to this day. As late as in 1978, the then IGF could blandly state:

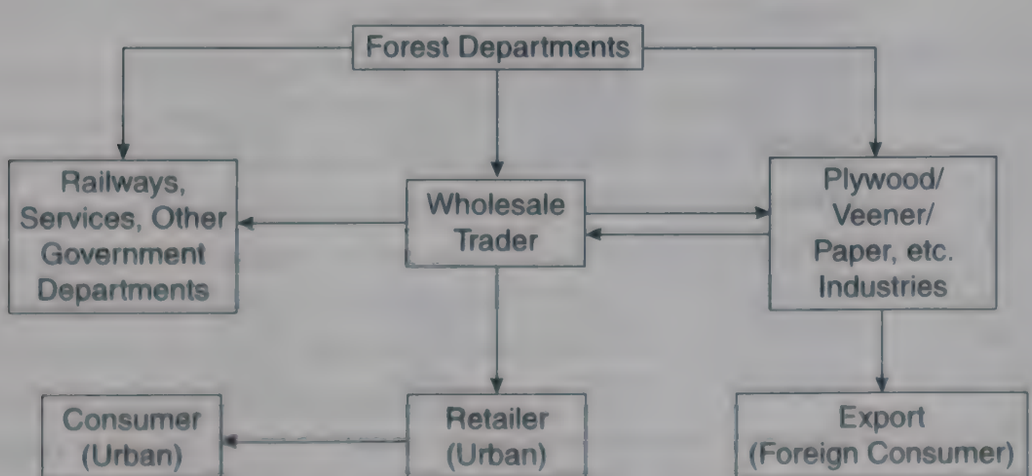
> The year 1855 was a memorable year in the history of Indian forestry. For, in that year, Lord Dalhousie, the then Governor General of India, enumerated for the first time an outline of a permanent programme of forest administration. His proclamation laid down the ruling principle of management of 'state forest', namely, that timber standing on a state forest was state property to which individuals (or communities—RG) had no rights or claims.[32] (Gupta 1978: 14)

Forest Policy and Industrialisation

One important difference in the post-1947 situation has been the rapid growth of forest industries, in consonance with the greatly expanded nature of industrial development since independence. The paper industry, for example, has increased its production from 92,800 tonnes in 1948 to over one million tonnes in 1978. As will be clear from Tables 1.4 and 1.5, this has necessitated a sharp rise in the production of industrial and fuelwood from India's forests, particularly in the latter part of this period.

Tables 1.3 and 1.4 exhibit certain interesting features. The enormous discrepancy between official figures and those estimated by FAO needs to be explained. The great difference between the two fuelwood production figures—118 mm^3 in one case and 16.65 mm^3 in the other (for 1976)—is mostly explained by the fact that, while the bulk of fuelwood comes from outside government forests, the latter figures relate to state-owned forest land only. There is, however, much evidence of unrecorded fuelwood extracted from between officially estimated production from government forests. The discrepancy of industrial wood (9.9 mm^2 in 1975–76) and that estimated by FAO (13.21 mm^3) is less easy to explain. Since very little industrial wood is produced outside state forests, it is likely that the FAO has incorporated in its estimate unrecorded (illegal) fellings from government reserves. While government sources show that the outturn of industrial wood has almost reached a plateau since 1966, FAO figures show an increase of over 50 per cent during 1966 to 1977. Since

FIGURE 1.1: Chart of Forest Exploitation in India



Source: Adapted from the Indian Institute of Foreign Trade, 'Wood Processing Industry in India—Export Perspectives', Delhi, 1977, p. 18.

many new forest industries have opened in the same period, mostly dependent on the FD for raw material, the latter estimate seems more correct.

In any case, the sharp divergences point to one consistent feature of Indian forest statistics—their unreliability. This lack of reliability stems from two features: the inadequate attention paid to building up a strong statistical base for forest operations and the extent of unrecorded fellings. Lastly, one can remark on the growth of the paper industry during 1966–77. The production of pulpwood has shown a four-fold (400 per cent) increase in this period, while industrial wood production, taken as a whole has risen by only about 50 per cent. The paper lobby, of course, is one that has had substantial influence on state forest policy.

Production Forestry

The changed circumstances brought forward a call to the FD to discard its earlier conservative approach in favour of a more dynamic one. An FAO expert, called in for consultation in 1959, bemoaned that 'conservation of resources' was still the leading principle of forest management, whereas an 'expanding economy on the eve of modern industrialisation requires the *highest* tonnage of production of organic raw material within the *shortest* possible period, and at the *lowest* possible cost'. The expert's brief was to assess the requirement in all 'major' fields of forest produce, and recommend, suitable production and extraction methods. Interestingly, the author interviewed FD officials in 14 states, met representatives of industrial organisations, and also met end (urban) consumers, but the forest-dwellers, themselves affected by prescribed policy changes, do not find a mention in the report.

TABLE 1.5: Official Figures of Roundwood Production in Selected Years
(million cubic metres)

Year	Production of Industrial wood	Production of Full wood	Total Production
1947–48	NA	NA	10.25
1956–57	4.46	10.18	14.64
1961–62	5.43	10.75	16.18
1966–67	9.28	12.24	21.52
1969–70	8.93	12.86	21.79
1970–71	9.12	13.70	22.82
1974–75	9.80	16.72	26.52
1975–76	9.91	16.65	26.57

Sources: (a) *India's Forests*, various issues.
(b) NCA, 'Report of the National Commission on Agriculture', Part IX, Delhi: Forestry, 1976.

Forest officials took up the challenges, arguing that the extremely low productivity of our forests was due to the 'uneconomic' and 'conservation-oriented' approach that had hitherto characterised Indian forestry. The emphasis of a changed strategy would have to be on the production of 'economically attractive resources' through large-scale plantations of quick-growing, high-yielding tree species, to replace 'inferior' slow-growing ones. It was held that the five year plans would 'compel' the government to 'revise' its policy from one of satisfying the needs of the rural population towards directly serving the developing wood-based industries. Senior officials affirmed that forestry, which was in a 'state of retreat' in India, due to the 'apathy' of the (urban) public and the government, could re-establish itself by only paying 'more serious attention to the economics of forestry' (Sagreya 1979: 15ff, 169; Cf also Nair 1967: 137–45; Chandras and Srivastava 1968: 199–212).[33] The National Commission of Agriculture (NCA) put the official seal on this changed attitude towards forest management by outlining a strategy whose first element 'would have to be production forestry for industrial wood production' (NCA 1976: 39).

This dynamic 'production' forestry, which has accelerated since the sixties, has had as its mainspring the trend towards replacing existing forests, poorly stocked over large areas, with those of fast-growing commercial species. As dwindling forest stocks and traditional methods of 'sustained yield' harvesting have been found inadequate to meet the growing commercial and industrial demand, foresters have vastly modified working plans to incorporate clear felling and replanting of quick-growing species. A massive programme which represented a 'significant departure' from earlier forest management practices, had been initiated in 1961, in order to clear the existing forests and replant the cleared areas with industrially useful trees (Gadgil 1982: 14; Chopra, vol. III, 1975: 62). (The official manual of silviculture admitted that plantations were often necessitated by the shortage of timber caused by the 'too rapid exploitation' of the mature stock of natural forests.) (Champion and Seth 1968: 444). To channel the flow of adequate institutional finance to the forestry sector, 16 Forest Development Corporations (FDCs) were set up in the different states by 1979–80 (Ministry of Agriculture 1980–81: 114).

Communications

To facilitate increased extraction, the building of roads into hitherto inaccessible forests became necessary. The relative isolation of many tribal forest areas ended as major highways and all-weather roads were built to transport forest produce and natural fodder grass to towns. Along with the communications network came the ubiquitous contractor, whose job was to transport the produce to be processed by large-scale industries in the private sector (De Silva et al. 1979: 5, passim). In Uttar Pradesh, the need was long felt in official circles for better communications, the lack of which was an impediment to greater exploitation of the hill forests. Though a rail line to the Alaknanda valley, planned as early as 1920 (Brahmawar 1932; Pant 1948), did not materialise, road building in the hills has occurred at a rapid pace, since 1947, especially after the creation of two new border districts in

1962. A Rs 56 million-World Bank Project was started in 1972, for the construction of 1,330 kilometres of new roads and 16 new bridges, and the renovation of 620 kilometres of existing roads, in the UP Himalayas. This project was initiated on the grounds that past road construction represented but a 'nominal fraction of the total requirements for the full exploitation and proper development of these [hill] forests' (Uttar Pradesh, FD 1971: 117–21).

Road building, by opening up virgin forests for use as industrial raw material elsewhere, have failed to materially help the hill economy. The net benefits to the hill people, have been 'starvation' wages as forest labour, while the fragile mountain ecosystem has deteriorated further through imperfect alignment and hasty construction of roads (Gadgil 1982). In addition, improved communications have made penetration by urban pleasure-seekers possible, and with the Himalayas 'being sold as a Mecca for climbers, adventurers and tourists', deforestation and allied ecological degradation, to meet these needs for firewood, has proceeded apace (Berreman 1979: 19 ff).[34]

Monocultures

There are growing indications that commercial interests, both in India and abroad, desire a shift in policy towards an export drive in wood and wood products. A senior industrial executive has called for the aggressive marketing of valuable hardwoods to earn foreign exchange by the export of a replenish able commodity (*viz.*, wood) whose value is constantly appreciating in world markets. It is also argued that the planting of long-fibred coniferous trees in the Himalayas could help augment our exports of pulp and paper (Centre for Monitoring Indian Economy 1982). In fact, the Organisation for European Economic Co-operation had realised the need, in the post-war situation, for utilising the vast reserves of tropical forest in what were then mostly colonial dependencies. This source could help to meet the timber requirements of European member countries, and, with effective advertising, those of the United States as well (OEECD 1953).[35] A United States Agency for International Development (USAIA) report to the Indian government in 1970 had recommended that the country should make better use of its 'unique' tree species like teak and rosewood, and of the 'valuable asset' of wood craftsmen 'working for one of the lowest wages in the world', to generate foreign exchange through the export of high quality furniture, and in addition, of paper (USAID vol. I, 1970: xiii).[36] Thus it was felt that 'it would be highly advantageous for the Indian economy to replace a significant percentage of the mixed tropical hardwood species with man-made forests of desirable species such as eucalyptus, tropical pines, and teak' (ibid.: viii, emphasis added).[37]

Such a strategy, stressing the narrow objectives of profit maximisation, is shortsighted in the extreme. The advocacy of monocultures is unmindful of its ecological drawbacks—the deterioration of the Himalayan ecosystem has been partly due to the policy of encouraging pine at the cost of the ecologically sounder broad-leaved species. Moreover, the practice of harvesting lumber for export will be welcomed only by those countries who can thereby safeguard their environment

at the expense of ours.[38] As Figure 1.1 shows, this strategy clearly brings out the class interests behind the pattern of forest exploitation in India—a pattern that has invariably worked against the rural, especially tribal, communities who inhabit forest areas.

Two recent, and well documented, cases point to the conflicts inherent in the disruptions of the life support systems of the tribals through exogenous changes in their forest habitat. The first relates to the Bastar pine project, which envisaged the

TABLE 1.6: Tribals and MFP Exploitation

State/Union Territory	Revenue from MFP (Rs million)	Population of Schedule Tribes (in lakh)
Andhra Pradesh	82.05	22.26
Assam	8.98	16.07
Bihar	69.14	49.33
Gujarat	11.47	37.57
Harayana	2.34	Nil
Himachal Pradesh	16.30	1.42
Karnataka	33.60	2.62
Kerala	31.93	1.93
Madhya Pradesh	640.10	98.15
Maharashtra	157.89	38.41
Manipur	0.65	3.34
Meghalaya	2.01	8.14
Orissa	65.17	50.75
Punjab	2.14	None
Rajasthan	30.48	31.35
Tamil Nadu	23.91	4.50
Tripura	1.45	4.51
Uttar Pradesh	86.83	1.99
West Bengal	5.90	26.03
Andaman and Nicotoar Islands	0.80	0.18
Others	28.42	—
Total	1299.56	398.55*

Note: * Does not include tribal population of north-east India.

Sources: (i) For Column 1, *India's Forests. 1980*, Dehradun (figures for 1976–77).
(ii) For Column 2, Report of the Commissioner for Scheduled Castes and Scheduled Tribes, 1975–76, and 1976–77, Delhi, 1977 (revised 1971 census figures).

clear felling of 40,000 hectares of deciduous forests to raise tropical (Caribbean) pine as raw material for the paper industry. This World Bank aided project originally called for the establishment of a mill in the public sector which would have taken on the responsibility of rehabilitating the displaced adivasis. However, with three large industrial houses evincing an interest, it was decided to give the produce to the private sector instead (*Business Standard* 1982). Strong resistance by the tribals and the negative recommendations of a study commissioned to review the project have, meanwhile, led to its operations being temporarily shelved (Gadgil, Ali and Prasad 1982).

The second, and possibly better known, instance, is that of the teak plantations started by the Bihar FDC in the Jharkhand area to replace the existing sal forest. Teak is increasingly being planted outside its natural habitat as 'other considerations tend to be outbalanced by the very high value of teak timber' (Champion and Seth 1968: 302 [emphasis added]).[39] However, as the imposition of teak will have severe consequences for the tribal economy—with sal being important as a source of fuel, food, medicines, and even for religious rites—it has given rise to a widespread movement (Sengupta 1982: 26–27 and passim).

Tribals, Contractors and MFP

Forest revenue from MFP has grown from Rs 30.3 million in 1947 to Rs 1,299 million in 1976–77, attesting to its increasing importance in the post-colonial period (market value of MFP is actually considerably higher than the royalty earned by the FD). MFP accounts for around 38 per cent of total FD revenue and for over 67 per cent of net export earnings from forest produce. The NCA recommended intensive development of MFP, noting with satisfaction that it was 'already a fairly good net foreign exchange earner' (NCA 1976: 36). Forest Officers have, at different times, called for a reclassification of forest products and the dropping of the prefix 'minor'. An all-India seminar, held in 1971 to bring together trade interests, scientific institutions and state departments, with the idea of 'thrashing out the problems in the field of MFP', so as to 'improve the extent, collection, and marketing of the produce', debated this question—with several officials of the home state calling strongly for a change in nomenclature, on the grounds that over 60 per cent of Tamil Nadu's forest revenue came from MFP (Tamil Nadu FD 1971: 7–8, 32ff).[40]

Although exact figures are impossible to obtain, it is clear that the overwhelming majority of MFP (in terms of both quantity and value) is collected from tribal forest areas, especially in Central India (see Gupta, Banerji, Guleria 1981).[41] Table 1.6 gives some indication. The five states of Maharashtra, Madhya Pradesh, Bihar, Orissa and Andhra Pradesh, together account for around 70 per cent of the MFP trade and contain about 65 per cent of the tribal population. In addition, MFP in Himachal and Uttar Pradesh consists almost entirely of resin and turpentine obtained from the Himalayan region inhabited by forest communities (as defined here). In such areas, the collection of MFP represents an important source of wages for the forest-dweller, often making the difference between starvation and subsistence.

Indeed, it is in the MFP trade that the exploitation of the tribals by mercantile interests is most pronounced. Three examples, drawn at random, will suffice. In

Betal district of Madhya Pradesh, Chiranji seeds are sold by the tribal to the trader at Rs 3 to Rs 5 per kg. The merchant, after separating fruit from seeds, results the same for Rs 50 per kg (Chad and Bezborua 1980). In the Chhotanagpur area of Bihar, the tribals who engage in tendu (bidi) leaf collection can gather upto 15,000 leaves (300 bundles) per day; as each bundle is bought for 2 paise, the tribal can earn upto a maximum of Rs 6 daily (Rs 3–4 is the average). The total cost of processing these leaves is Rs 43 per quintal, of which the tribal is paid Rs 15 (or 35 per cent). However, the processed leaves themselves can be sold for Rs 200 to Rs 600 per quintal (Gupta et al. 1981: 21 and passim).[42] Sal seed collection, now an important source of revenue in several states, is in the hands of contractors who pay Rs 50 per quintal to the tribal for collection, but resell it for Rs 250 per quintal (after paying a per unit royalty of Rs 30 to the FD) (PUDR 1982: 10–11).

Two points may be noted. First, these staggering profit margins can only be realised by depressing the collection wages to just around subsistence level. Secondly, with several MFP having found profitable industrial uses (typically luxury items like perfumes, soaps, etc.—bidi leaves being an exception), the profits ultimately reaped by the processing industry are also enormous.

Thus a well-known soap manufacturing multinational realises a profit of upto Rs 15 per kg of sal seeds processed.[43] Government policy has consistently encouraged the middlemen and the large industrial units, For instance, the practice of publicly auctioning out contracts of forest produce has ensured that the big merchant

TABLE 1.7: Average Forest Revenue and Surplus since 1947, Selected Years

Average for Period	Revenue (Rs million)	Surplus (Rs million)
1951–52 to 1953–54	240.1	133.9
1956–57 to 1958–59	418.4	247.2
1961–62 to 1963–64	693.8	371.5
1966–67 to 1968–69	1075.0	508.7
1969–70 to 1970–71	1358.7	623.8
1975–76	2927.0	1275.0
1976–77	3355.0	1466.0
1980–81	4725.5	15472.0

Sources: (a) NCA, 'Report of the National Commission on Agriculture', part ix, 1976, Delhi: Forestry;
(b) *India's Forest*, 1980;
(c) PUDR, Undeclared Civil War, 1980, Delhi.

retains control of the trade. Similarly, small units have been discriminated against in the supply of raw material. In Garhwal, two-thirds of the resin and turpentine is despatched to big industries outside—they being thus unavailable for local co-operatives who operate at 50 per cent of capacity (National Commission for Applied Economic Research 1975).

Contractors, Labour Co-operatives and the State

Private contractors predominate both in the MFP trade and in operations for logging timber. In the latter case, logging is often carried out by labour established in 'forest villages', who are given land to cultivate—under oppressive regulations, and with no security of tenure—while in return their labour is utilised for forest works.[44] Alternatively, the difficulty of getting an adequate workforce is circumvented by getting outside labour to act as a buffer between the contractor and the local population. Thus Nepali and Himachali labour are employed in Garhwal and Garhwali labour in Himachal (GoI 1961: 132–33; PUDR 1982: 10).[45] Labour exploitation apart, there are several other ills associated with the contractor system. It is well known that, at FD auctions, the contractor often bids a price far higher than the actual value of the trees being auctioned, in the knowledge that considerable over-felling can be resorted to. Moreover, the methods of extraction—such as the hurling of loss down the hillside to the floatable stream below, thereby causing soil erosion—are extremely wasteful.

Government policy documents and official reports have repeatedly commented on the need to do away with the intermediaries who, it is admitted, exploit both the forests and the labour. This call has been given in the five year plans, in the 1952 policy, and in various commissions appointed to investigate tribal problems. A committee, appointed in 1967 to look into the tribal-contractor forest nexus, cynically observed that they did not 'envisage the need for any changes in the wording of the existing [1952] forest policy' (GoI 1967: 13ff. Also see GoI 1952 and GoI 1961). This call to abolish intermediaries has recently been reiterated by the committee to investigate measures to ensure environmental protection, and in several meetings of the Central Board of Forestry (GoI 1980: 31; GoI 1981: 118; Guha 1982). In every instance, the need to replace intermediaries by forest labour co-operatives (FICs) has been highlighted.

Maharashtra is one state that has been comparatively successful in launching FLCs. These FLCs grew out of adivasi struggles during 1946–47, and were initiated by the Congress government in 1952. Despite the presence of 444 FLCs in 1969–70, they did only 40 per cent of the work, the remaining portion being divided among contractors (40 per cent) and the FD itself (20 per cent). (These figures relate only to the tribal districts surveyed.) Further, only one society had started a saw mill that could partially process the timber. In recent years, even these gains have been offset by the formation of the state FDC to augment the 'productivity' of government forest lands by growing species like teak. The FDC did not recognise the earlier terms of operation evolved between the FLCs and the government, and

slowly the number of forest blocks allotted to the former has declined (Maranjan 1974: 101–229).

In Uttar Pradesh, despite attempts by the FD itself to promote labour co-operatives, the state has been reluctant to effect any change in the pattern of forest working. On suggesting such a scheme in 1960, the Chief Conservator of Forests was tersely informed by the Governor that 'since the Forest Department is a sort of a commercial department, it cannot be expected to extend concession, in the transaction of its business, even to co-operative societies'. The officer was referred to the experience of Bombay state where 'such a scheme has cost the Bombay government quite dearly and considerable amounts were lost to the exchequer' (UP Government 1960; emphasis added).

The disjunction, between official pronouncements and actually existing forest operations, is nowhere more clearly manifest than in this particular sphere of forest policy. With forest contractors being important political patrons in several states, they are easily able to influence state policy in their favour. While the so-called nationalisation of trade in forest produce has in effect meant the elimination of only one level of intermediary, states of late have been forced to go back on nationalisation and renew the practice of awarding monopoly leases to influential traders (Sinha 1982).

Tribal 'Unrest'

With increased forest exploitation, the forest communities have experienced a progressive loss of control over their habitat. This deprivation has been manifested in a series of movements. While there were intermittent uprisings in the fifties and sixties, (Singh 1982)[46] at the present time we find 'unrest' in most forest areas. These movements, ranging from Uttarakhand in the north to Jharkhand in the east and Thane/Dhulia in the west, have been individually studied and reported on. The increasingly militant struggles have centred around the question of regaining community control over land and forest (Sengupta 1982; De Silva et al. 1979; and for a good review, PUDR 1982: 19–24).

The state's reaction has been one of increased repression, and use of armed force to suppress these movements has been resorted to, as in the Gua firings of 1980 (Singh 1982; People's Union for Civil Liberties 1979). The methods used by the state, to contain discontent, have been strikingly unlike the British methods of paternalist rule, and greater powers have been given to the forest and police bureaucracy. Although the number of personnel employed by the FD has gone up, from 10,000 to 93,000, in the period 1952 to 1982, (PUDR 1982: 7) industrialists have called for a further increase so that forest guards are assigned 'smaller blocks of territory which they can effectively control' (Baig 1982: 25).

Given this history of continuing alienation and protest, the experience of *van* (forest) panchayats in Garhwal is instructive. A recent survey concluded that many of the panchayat forests managed by the villagers in Garhwal are in better condition than the reserved forests of the area (Gadgil 1982: 15).[47] In fact, forest officials in

both the colonial and post-colonial periods have admitted that the panchayat forests in Garhwal, though small in extent as a result of government policy, were invariably well maintained (Johri 1940: 20; Lohani: 35). It is precisely where cohesive (and largely egalitarian) village communities have retained control over their forest habitat, that such a situation may prevail.

Social Forestry and Paper Industry

The fuelwood crisis, though given prominence only of late (Eckholm 1976; 1978).[48] has been affecting Indian agriculture—by the diversion of dung from manure to fuel—for at least a century. Voelcker had urged the creation of 'fuel and fodder reserves' out of government wastelands, while Howard in 1944 had mentioned that the wants of villagers for fuel and small timber was the most important problem facing the FD, at the same time being 'the most difficult of solution' (Voelcker 1897 [1893]: 151ff; Howard: 13–14). Despite this recognition, the government has consistently refused to divert its own forest land (utilised for commercial forestry) to serve the agricultural population directly.

The latest official reaction to the firewood shortage has been to launch, amidst great publicity, a Social Forestry (SF) programme. According to an official expert, SF 'involves the people at all levels with raising forests as their own assets for their own use, while its main objective is to provide forest goods and services in rural areas where these are needed the most' (Tewari 1981 [emphasis added]).[49] Government committees have recommended dynamic schemes for overcoming the shortage of firewood—SF, we are told, 'is the practice of forestry for meeting the felt needs of rural urban areas, as against that for meeting the commercial and industrial interests' (GoI 1980: 5 [emphasis added]). Various organisational changes have also been suggested to ensure that SF schemes are properly implemented.

Recent studies have revealed sharp divergences between officially proclaimed aims of SF and its actual operations. SF has been used by the rich farmers to plant Eucalyptus, used as raw material by the paper industry, on a large scale. Eucalyptus can fetch upto Rs 8,000 per hectare, and is therefore grown on land earlier being used to produce inferior cereals such as ragi. This process has exacerbated rural inequalities in at least two ways: first, by reducing the demand for labour, and second, by forcing the poor to buy cereals, previously being obtained at least partly in kind (in lieu of wages) at a greater real cost in the market. The FD has also encouraged the dissemination of technical knowledge and free seedlings for species like Eucalyptus—neglecting those trees which fulfil basic needs of fuel, fodder and food. Finally, the thrust of SF. originally envisaged as having a community orientation, has been changed to suit the individual needs of rich farmers and the paper mills.[50]

There are strong indications that SF programmes have been launched, under a populist guise, to meet the demands of the paper industry. In the past, the industry had urged on the government that it had 'a right to see that the industrially-biased orientation of Indian forestry is made as soon as possible' (Mishra 1972). Indeed, the

enormous expansion of paper production has been made possible only at the expense of state reserved forests. Official sources admit that the 'continuing deforestation to meet the growing needs of the pulp and paper industry', had led to a situation where one of the 'main impediments' to the development of additional capacity in paper and newsprint is the 'limitation in the availability of conventional raw materials'. This has necessitated, on the one hand, an intensified search for 'non-conventional' raw materials, and on the other, the propagation of SF schemes to augment supply of wood and fibre.

In this connection, it may be pointed out that the need for "farm forestry"—i e, for each farm to be self-sufficient with respect to its requirements of fuel, fodder, and small timber—had been talked of in official circles for some time.[51] Similarly, with regard to the claim that the "wonder tree' Ku-babul—renamed sul-babul by the Prime Minister at a national seminar in early 1981—will solve the problems of rural poverty and unemployment, it can be noted that the tree was introduced into India as early as in 1962. Its propagation by the state, however, comes only at a time when its usefulness as a source of paper pulp has been established (see Bhola and Sharma 1982: 202–11).[52] At the same time, the paper industry has been severely hit by raw material shortages caused by its own over-exploitation of bamboo stocks.[53] The industry has been petitioning the government not only to lower pollution standards—already very lax compared to those elsewhere—and lift the ban on the export of certain varieties of paper, but also to raise 'industry oriented' plantations, both in government forests and on private lands through SF schemes (Raina 1982; Biswas 1982). The Industries Minister has given an assurance to the paper manufacturers that despite the avowed aims of the SF schemes, 'some material would be available for industry as well'.[54]

Forests and Ecology

The cumulative impact of the forest policies followed by successive governments in India is exemplified by the rapidly deteriorating growing stock in land officially classified as 'forest'. Although 75 million hectares of land are under the control of the FD—and, therefore, represented as 'forest' in official documents—it is estimated that less than half (30 mha) is actually under tree cover, and even these areas are poorly stocked. Since 1951, over 3.4 mha of forest land have been sequestered for different purposes, such as for agricultural use, road building, and river valley projects. The net result has been considerable disturbance in the ecological balance, leading to the increased incidence of floods, silting up of dams, drying up of perennial sources of water, etc.[55]

In a sharply stratified society, like that in India, there are inherent compulsions towards the deterioration of the environment. While the rich destroy the environment—indirectly through resource-wasteful lifestyles, and directly through exploitation of nature for profit—the poor are often forced to fall back upon nature for their very survival, thereby using up resources in an unsustainable fashion. Indian forests are being destroyed by commercial interests in pursuit of short-term

goals of profit maximisation, and to a lesser extent by rural communities for whom the loss of control over natural resources has led to an alienation of man from forest with potentially damaging consequences.[56] Meanwhile, with the prevalent lack of accountability, bureaucracy is not sufficiently motivated to manage resources. The Indian path of capitalist development, which is neither 'autonomous' nor 'self-reliant', further complicates an already precarious situation.

Colonial and Post-Colonial Policy Compared

The above account, though not a strictly chronological one, establishes a marked degree of continuity between colonial and post-colonial forest policy. The dominant interests behind the formation and execution of state policy have differed. While, before 1947, forests were a strategic raw material crucial for imperial interests such as railway expansion and the world wars, in the post-Independence period it has been the commercial and industrial interests who have dictated forest policy. In both cases, however, the successful implementation of policy (successful from the point of view of those guiding it) has been achieved only at the expense of the forest communities and their life-support systems. The communities, thus deprived, have characteristically responded through different forms of protest—ranging from relatively spontaneous outbursts and agitations to more organised social movements.

The organic links between colonial and post-colonial forest policy are manifest in several other ways. First, in the disjunctions between the 'theory' and 'practice' of forest policy. Though the needs of the rural communities have been explicitly recognised and articulated in the populist rhetoric of many policy documents, the actual implementation of policy has invariably concentrated on realising the productive function of the forests. Secondly, the methods used by forestry legislation and management, to realise the goals of forest policy, have been remarkably invariant in the two periods under review. Changes in the latter period have been more in the nature of modifications and additions to, rather than significant departures, from established colonial practices.

Finally, the FD, assigned the role of a revenue-generating organ by the colonial state for whom India was, above all else, a 'paying' proposition, has continued to be all else a veritable money spinner for the government of independent India (see Table 1.7). This colonial emphasis on revenue generation has been an important element in the over-exploitation of forest stock.[57]

Notes

1. The difficulties inherent in the 'text-reading' of colonial writings beset any work that relies on them as its main source. It is only of late that scholars have starred scrutinising the content of such writings in terms of their ideological underpinnings, rather than uncritically accept the colonial viewpoint (on makers other than fact) as was hitherto the case (See Guha 23 October–6 November, 1982).

It is not our intension to suggest that the pre-British situation was either static or uniform. There is considerable evidence of struggle between caste Hindu society and the relatively autonomous forest-dwellers. But, as we shall see, there was little or no interference with the customary use of forest and forest produce.

2. Admittedly, there would be significant regional variations. It was later claimed, for example, that Tipu Sultan had reserved the use of sandalwood. However, such claims were made at a time when the colonial state was anxious to usurp monopoly right and was searching for legitimacy through the selective use of precedent.

3. Partha Chatterjee has conceptualised such historically occurrent tension between feudal and communal 'modes of power'. See his 'Agrarian Relations and Communalism in Bengal, 1926–35' (Guha 1982).

4. Such curtailment typically arose when the king (or feudal chief) wished to reserve forests as hunting preserves (see Thompson 1977; M. M. Postan vol. I, 1966, especially pp. 172ff).

5. This dependence continues. See, for example, Singh (1974: 367–70).

6. Information supplied by Gopal Mukherjee.

7. The regulation of scarce resources by community sanction in so called 'primitive' societies is a phenomenon that has been expensively studied. For a recent example, see Reddy (1982); and for possibly the earliest such study, Durkheim and Mauss (1963).

8. Large areas of mountain forests were also given away for tea and coffee plantations.

9. Wallerstein argues that this control over resources elsewhere was crucial for the expansion of European capitalism (38ff).

10. An indication of the escalating demand for wood for England's shipbuilding industry can be seen from the fact that the tonnage of British merchant ships (i.e., excluding the Royal Navy) increased from 1,278,000 tonnes, in 1788 to 4,937,000 tonnes in 1860 (Scott Leathart's review of N. D. G. James, 'A History; or English Forestry', *Times Literary Supplement*, 8 January, 1982). Evidently the major part of this wood came from the colonies, especially India, and in the later stages from Burma.

11. Whitcombe says, 'deforestation seems to have appeared a regrettable necessity to the railway companies' (p. 95). The author highlights the ecological damage caused by these and other public policies (such as the use of dung by the public works department), and the resultant hardships to 'a depressed peasantry [who] laboured in a distorted environment' (ibid., p. xi). As Gallagher and Seal put it, the railways were 'built in the imperial interest, heedless of economy' (Whitcombe, p. 391).

12. According to Brandis, each mile of railway construction required, 1,800 sleepers, (each sleeper lasted between 12 and 14 years). While European sleepers were imported in some quantities, the emphasis was always on substituting them by Indian timbers, both on account of cost and the uncertain political situation in Europe (Paul 1871; Brandis 1879).

13. Another documented case is of the British districts of Ajmer and Mewar, where the government had at the time of the 1850 land settlement, explicitly relinquished its rights over the wastes and jungles which were handed over in entirely to the villagers (Brandis 1879: 15–16).

14. The colonial forest historian, Stebbing, thus described the process by which the colonial authorities reversed its policy of treating the forests as worthless: 'It had taken many years, but we had thoroughly learnt our lesson by 1887 in India' (vol. II, p. 474). The lesson referred to was that of the establishment of state 'right'. The 1865 Act has been reproduced in full in Stebbing (vol. II, pp. 8–12).

15. Among the historians, there has been a growing interest of late in reconstructing these 'forest' movements. Sumit Sarkar has made a preliminary survey of forest movements that conceded with the two non-co-operation movements (Pannikar 1980), while David Arnold has studied a succession of forest-based movements in tribal areas of what is now Andhra Pradesh (Guha). Other studies include those by DEU Baker on Central Provinces and Berar (unpublished paper) and Dasgupta.

16. S. S. Pan war, personal communication.

17. The lengthy extract from Nelson (fn 38), clearly brings out this dichotomy between colonial and indigenous notions of property right.

18. In 1874, the Deputy Commissioner of Chittagong had asked that 'especially in districts of the wilder sort, where the people are more especially subject to personal influence, and where the major part of the country is forest land, [the] forest officer ought to be directly under the district officer...' (Baden-Powell and Gamble 1874: 377).

19. A heated debate on this theme was conducted through the pages of the *Indian Forester* between 1880 and1900.

20. The New Draft Rules regarding Settlement and the Positions of Revenue and Forest Officers', *IF*19(1893): 476.

21. The influence of Voelcker's report on this policy statement is marked (GoI File No 244, List No. 2 UPRA 1894).

22. Both Garhwal and Jaunsar Bawar provide interesting case studies in the application of these principles of colonial administration (File No. 244, List No. 2. UPRA; Brahmawar).

23. Cf source cited in fn 21.

24. 'The British were anxious to pull resources out of India, not to put them into it so a cardinal rule was that India was not to be a burden on the British tax-payer; she had to be self-supporting, secure, and at peace (Gallagher and Seal: 389).

25. See *inter alia* (Smythies 1925: 577ff).

26. By this time, of course, the railways were being run as a government department (GoI 1929: 30).

27. MFP includes all produce apart from timber and fuel (Smythies 1925: 82–91).

28. At the same time, the increased demand for railway sleepers had to be met. In 1940–41, the United Provinces FD alone supplied 440,000 sleepers to the railways, mostly of chir pine from Garhwal (GOI 1948: 150).

29. The damage done in areas not covered by working plans would have been greater, land, at the same time, undetectable (Lohani 1962: 68).

30. A recent writer has commented on the affinity between these two policy statements (Taylor 1982: 196–201).

31. It is argued here that this flexibility was important for post-colonial forest policy as well, so that objectives (e) and (f) came to be paramount at the expense of (a) to (d).

32. B. P. Srivastava, in R. Gupta, ed. 'Building Indian Institute of Forest Management', CMA Monograph No. 79, IIM, Ahmedabad, 1978, p. 14. In 1920, an official document prepared to highlight the place of India's forests in the empire, had similarly stated that Lord Dalhousie inaugurated scientific forestry in India with a permanent: policy in 1855 (GoI 1920: 11).

33. However, as late as 1980, one author asked foresters to emerge 'from their self-imposed obsession with mere conservation' (Sharma 1980: 578).

34. See Berreman (1979: 19ff). Incidentally, the roads built by the FD for exploiting the Garhwal forests have come in handy for the yearly 'Himalayan Rally'.

35. For an interesting account of how modern-day imperialism (as represented by the multinational corporation) continues to plunder forests inhabited by so-culled 'primitives' and the resultant social and ecological disruptions, see De'Ath and G. Michallenko (1980: 197–209).

36. The USAID report advocates that the paper industry should intensify exports in order to be able to pay for the import of foreign machinery. This is called for in the name of 'self-reliance'! Nowhere is the need to develop an indigenous paper machinery manufacturing industry mentioned-surely a unique concept of 'self-reliance' (USAID 1970: xiii).

37. The question, of course, is: 'desirable for whom'.

38. See Guha (1982).

39. Champion and Seth recommend that teak be planted wherever possible.

40. Incidentally, this subject was also debated at the fourth world congress of Forestry (Tamil Nadu FD 1971: 7–8). It is significant that here too the plight of the tribals actually involved in the collection of MFP went unnoticed.

41. For a case study of MFP trade in tribal districts of Bihar, see Gupta, P. Banerji, A Guleria (1981).

42. The latter (resale) trade was partly nationalised in Bihar in 1973 (Gupta p. 21).

43. Information personally gathered.

44. The establishment of forest villages had first been suggested by Brandis.

45. The British too typically relied on migrant labour to facilitate trouble-free exploitation of forests (see the works by Paul, Mobbs, and Hearle, cited above. Also see GoI 1961: 132–33).

46. For brief information on these, see Singh (1982).

47. These observations are confirmed by my own fieldwork.

48. Erik Eckholm has done much to bring the 'Other Energy Crisis' to worldwide attention, see his 'Losing Ground' (1976); and 'Firewood the Poor Man's Burden' (1978).

49. Tewari writes extensively on SF from the official viewpoint (see, for example, his 'Research Needs of Social Forestry'1981: 171–74). From his writings it would appear that SF is designed primarily *to* provide the fuel, fodder, and constructional timber required by the rural poor.

50. The best researched study on SF is that by Bandopadhyay, Shiva and Sharatchandra (1981), whose findings have been given wide publicity. See Guha (1982), Alvarez (1981). Similar conclusions on SF are emerging from studies conducted in Uttar Pradesh, (Varuri Vidyarthi 'Personal Communication') and Gujarat ('Afforest or Perish', *The Statesman*, July 25, 1981). The paper industry is well aware of what SF is in practice (see Baig p. 26). Thus, in West Bengal, paper mills have 'drawn up an ambitious programme of getting eucalyptus and bamboo planted in homesteads and field bunds of farmers'—further, the increased revenue from planting trees as cash crops is possible 'without all the labour trouble' (Reddy 1981: 816).

51. For example, Indian Council of Agricultural Research, Proceedings of Farm Forestry, Symposium, Delhi, 1960; Sengupta (1958). Yet, the need to introduce SF Schemes is only now being articulated.

52. The 'con game' is not restricted to paper alone. Thus a multinational tobacco giant recently distributed one million seedlings of Ku-Babul to further 'rural development'. The wood, however, will come back to the company to be used in the process of tobacco-curing which requires a slow fire (information personally gathered).

53. Cf: *Kotharis Economic and Industrial Guide of India, 1978–79*, Madras, Section on Paper which shows the declining capacity utilisation over time. Their devastation of bamboo,

the best raw material under Indian conditions, has forced the industry to go far afield in search of fresh sources of supply. Thus the West Coast Paper mills in Karnataka, having exhausted the stocks on forest land allotted to it by the government, now fetches bamboo from Arunachal Pradesh (Gadgil p. 11).

54. Inaugural address by N. D. Tewari. Union Minister for Industry and Labour, at the IPMA Seminar on 'Raw Materials for the Paper Industrv', Delhi, 16 January, 1982.

55. The beneficial effects of forest cover in maintaining the ecological balance are well known. See especially, Singh (1982).

56. For the contradictions within capitalism which give rise to ecological 'crises', see Guha (1982).

57. The word 'colonial' has been used advisedly. In countries such as Japan, United States, and Britain itself the expenditure on maintaining forests far exceeds the revenue derived from forest working (see Uttar Pradesh Forest Statistics, 1978–79, Lucknow). These countries can afford to concentrate on presenting their environment in view of their past and present control over forest resources elsewhere. The emphasis on deriving Greater and greater revenue from forests is a direct legacy of colonial rule.

References

'Research Needs of Social Forestry'. *IF* 108 (1981). 171–74.

'Theories of Man and Nature'. 1982. *PPST Bulletin* (Madras). Vol. 2. No. 2. November.

'Three in Race for MP Paper Unit'. *Business Standard*. 21 February 1982.

Albion, G. 1926. 'Forests and Sea-Power', Cambridge, (Mass).

Alvarez, C. 1981. 'The Social Forestry Con Game'. *Deccan Herald*. 11 November.

Amery, C. F. 1876. 'On Forest Rights in India'. In *Report on the Proceedings of the Forest Conference Held at Simla, October 1875*, eds D. Brandis and A. Smythies, Calcutta.

Amery, C. F. 1876. 'On the Relation between District and Forest Officers'. *IF* 1: 295.

Anon. 1887. 'Forest Settlements'. *IF* 13: 404.

Anon. 1893. 'On Forest Settlement and Administration'. *IF* 19: 92–93.

Arnold, David. 'Rebellions Hillmen: The Gudem-Rampa Risings, 1839–1924'. In R. Guha, ed.

Atkinson, E. T. 1884. 'The Himalayan Districts of the North-West Provinces', vol. 1, Allahabad.

Baden-Powell, B. H., and J. S. Gamble, eds. 1874. 'Report of the Proceedings of the Forest Conference, 1873–74'. Calcutta name of the publisher.

Baig, M. A. 1982. 'India's Forests'. In *Some Aspects of Forestry in India*. Bombay: Centre for Monitoring Indian Economy (CMIE).

Bandopadhyay, J., U. Shiva, and H. C. Sharatchandra. 1981. 'Social, Economic and Ecological Impact of Social Forestry in Kolar'. Bangalore: IIM.

Berreman, G. D. 1979. 'Himachal: Science, People and 'Progress'. Copenhagen. IWGIA Document 36.

Bhola, P. P., and Y. K. Sharma. 1982. 'Kraft Pulping of Leucaena Leu-cocephele. *IF* 108: 202–11.

Biswas, S. 1982. 'Need for Industry Oriented Plantations'. IPMA Seminar on Raw Materials for the Paper Industrv. Delhi. 16 January.

Bor, N. L. 1963. 'Manual of Indian Forest Botany'. Oxford: Oxford University Press.

Brahmawar, R. N. 1932. 'WP for the Garhwal Forest Division United Provinces 1930–31 to 1939–40'. Allahabad.

Brandis, D. 1879. 'Memorandum on the Supply of Railway Sleepers of the Himalayan Pines Impregnated in India'. IF 4: 365–85.

Brandis, D. 1897. 'Indian Forestry'. Woking: Oriental University Institute.

Centre for Science and Environment (CSE). 1982. 'India the State of the Environment 1982: A Citizens Report'. Delhi: CSE.

Chad M., and R. Bezborua. 1980. 'Employment Opportunities for Women in Forests'. Paper presented at Seminar on the Role of Women in Community Forestry, Dehra Dun. 4 December–9 December.

Champion, H. G., and S. K. Seth. 1968. *General Silviculture for India*. Delhi: Government of India.

Chandras, G. S., and S. S. Srivastava. 1968. 'Forestry Economics in India—Some Areas for Research'. *Artha Vijnwia*, 10: 199–212.

Chatterjee, Partha. 1982. In 'Subaltern Studies I', ed. Ranajit Guha, Delhi: Oxford University Press.

Chopra, P. N., ed. 1975. 'The Gazetteer of India'. Vol. III. Delhi.

Circular from Ministry of Law. Company Affairs, and Justice, to all Chambers of Commerce, dated 15 September 1982.

De'Ath, C., and G. Michallenko. 1980. 'High Technology and Original Peoples: The Case of Deforestation in Papua New Guinea land Canada'. *Impact of Science on Society*, 30: 197–209.

DeSilva, G., N. Mehta, P. B. Wignaraya, and M. A. Rahman. 1979. 'Bhoomi Sena: A Struggle for People's Power'. *Development Dialogue*. No. 2: 11.

Durkheim, E., and M. Mauss. 1963 [1901]. 'Primitive Classification'. Cambridge.

Elvin, V. 1960. *A Philosophy for NEFA*. Calcutta: Navana Printing Works.

Gadgil, M. M. 1982. 'Towards an Indian Conservation Strategy'. Paper presented at the workshop on a New Forest Policy. Delhi: Indian Social Institute.

Gadgil, M., Rauf Ali, and S. N. Prasad. 1982. 'Forest Management in India: A Critical Review'. Bombay: CMIE.

Gallagher, J., and A. Seal. 1981. 'Britain and India between the Wars'. *Modem Asian Studies*, 15: 387.

GoI. 1894. 'Revenue and Agricultural Department (Forests)'. Circular 24F. 31 October (File No. 244, List No. 2 UPRA).

____. 1894. 'Revenue and Agricultural Department (Forests)'. Circular No 22F. 19 October (File No. 244, List No. 2 UPRA).

____. 1920. 'Statement of Forest Conditions in British India'. London.

____. 1948. 'India's Forests and the War'. Delhi: GoI.

____. 1952. 'The National Forest Policy of India'. Delhi.

____. 1952, 1961, 1967. 'Report of the Committee on Tribal Economy in Forests Areas'. Delhi.

____. 1960–61. 'Report of the Scheduled Areas and Scheduled Tribes Commission', vol. I. Delhi: GoI.

____. 1980. 'Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection'. Delhi.

____. 1980. 'Task Force Report on Taking Forestry to the People'. Delhi.

____. 1981. Ministry of Agriculture, Annual Report, 1980–81. Delhi: GoI.

Guha, Ramachandra. 1982a. 'Forest Policy and the People'. *Frontier*. 27 March.

Guha, Ramachandra. 1982b. 'Forestry: A Critique of Recent Approaches'. *Business Standard*. 7 December.

Guha, Ranajit. 1982. 'Writing on Peasant Insurgency: A Recent Experience'. *Frontier*. 23 October–6 November.

Gupta, R., P. Banerji, A. Guleria. 1981. 'Forestry Management in Bihar'. IIM, Ahmedabad.

Hearle, N. 1888. 'WP of the Tehri Garhwal Leased Forests, Jaunsar'. For Div, Allahabad.

Hearle, N. 1889. 'WP of the Deoban Range, Jaunsar. For Div, North-Western Provinces'. Allahabad.

Howard, H. 1944. 'Post-War Forest Policy for India'. Delhi: Government of India Press.

Indian Council of Agricultural Research. 1960. Proceedings of Farm Forestry. Symposium, Delhi.

Jameson, A. K. Unpublished. 'Settlement Officer of Midnapore District'. Quoted in 'The Local Face of Non-Cooperation: The San that Movement in Midnapur (1918–1923)', ed. S. Dasgupta.

Johri, C. M. 1940. 'WP for the Garhwal for Div, Kumaon Circle, United Provinces, 1940–41 to 1954–55'. Allahabad.

Kosambi, D. D. 1965. 'The Culture and Civilisation of Ancient India in Historical Outline'. London: Routledge and Kegan Paul.

Lohani, D. N. 1962. 'WP for the North and South Garhwal Divisions, UP, 1958–59 to 1972–73'. Allahabad.

Mishra, N. D. 1972. 'Indian Forestry *vis-a-vis* Paper Industry'. Proceedings of the Seminar on Man-Made Plantations. Dehradun.

Mobbs, E. C. 1926. 'WP for the Tons Forest Division Tehri Garhwal State, 1925–46'. Allahabad.

Monroy, J. A. V. 1960. 'Report to the Government of India on Integration of Forests and Forest Industries'. Rome: FAO.

Muranjan, S. W. 1974. 'Exploitation of Forests through Forest Labour Cooperatives in Maharashtra'. *Artha Vijnana*, 16: 101–229.

Muranjan, S. W. 1980. 'Impact of Some Policies of the Forest Development Corporation on the Working of the Forest Labourers' Co-operatives'. *Artha Vijnana*. 22: 485–511.

Nair, K. K. 1967. 'Forestry Development in India'. *Indian Journal of Agricultural Economics*. 22.41: 137–45.

National Commission for Applied Economic Research. 1975. 'Growth Centres and Their Industrial Potential: Chamoli'. Delhi.

NCA. 1976. 'Report of the National Commission on Agriculture'. Part IX. Delhi: Forestry.

Nelson, C. 1976. *Forest Settlement Report of the Garhwal District*. Lucknow.

Pannikar, K. N., ed. 1980. *National and Left Movements in India*. Delhi: Vikas Publishing House.

Pant, K. P. 1948. 'WP for the Tons for Div (Non-Leased Forest), Tehri Garhwal State: 1945–46 to 1964–65'. Dehradun.

Paul, G. P. 1871. 'Felling Timber in the Himalayas'. Lahore: Government Press.

Pauw, E. K. 1896. 'Report on the Tenth Settlement of the Garhwal District'. Allahabad.

Pearson, G. I. 1869. 'Sub-Himalayan Forests of Kumaon and Garhwal'. In 'Selections from the Records of the Government of the North-Western Provinces, second series'. Vol. II. Allahabad.

Pearson, R. S. 1912. 'Note on the Antiseptic Treatment of Timber in India, with Special Reference to Railway Sleepers'. *Indian Forest Records*. Vol. III. Part I. Calcutta.

People's Union for Civil Liberties. 1979. 'Repression in Singhbhum'. Delhi.

People's Union for Democratic Rights (PUDR). 1982. 'Undeclared Civil War'. Delhi.

Planning Commission. 1982. 'Report of the Firewood Study Committee'. Delhi: GMIE.
Postan, M. M., ed. 1966. 'The Cambridge Economic History of Europe', vol. I. Cambridge: Cambridge University Press.
Prasad, Amba. 1960. 'Indian Railways'. Bombay.
Press note issued by the Ministry of Industry, dated 11 April 1979.
Raina, M. K. 1982. 'A Perspective for Paper'. Chairman's address at the 86th Annual meeting of the Indian Paper Maker's Association (IPMA). 4 June 1982.
Reddy, C. V. 1981. Meeting the Challenge of Energy/*IF*, 107: 816.
Reddy, G. P. 1982. 'Scarcity and Survival', Delhi: D. K. Publications.
Report of the Imperial Economic Committee—Tenth Report: Timber. London, 1920, p. 21.
Roy Burman, B. K. 1979. 'Challenges and Responses in Tribal India'. In *Social Movements in India*, vol. II, ed. M. S. A. Rao. Delhi: Manohar.
Sagreya, K. P. 1979. 'Forests and Forestry'. Delhi: National Book Trust.
Sengupta, J. N. 1958. 'Fuel-wood Plantations in India'. Rome: FAO.
Sengupta, Nirmal, ed. 1982. 'Jharkhand: October 29, 1983 Fourth World Dynamics'. In *Fourth World Dynamics*. Delhi: Jharkhand Author's Guild Publications.
Sharma, L. C. 1980. 'Employment Potential of Forestry Sector in India'. *Indian Journal of Industrial Relations*. 15: 578.
Singh, D. 1982. 'Forests and Floods'. *For a New Democracy*, Special No. 1982.
Singh, Janak. 1982. 'Tribal Unrest'. *Times of India*. 11 and 12 February.
Singh, K. S. 1982. 'Tribal Society in Middle India: Integration Versus Assimilation' (in two parts). *EPW*. 14 and 21.
Singh, R. V. 1974. 'Forest Conservation is Necessary for the Development of Agriculture in the Hills', IF 100: 367–70.
Sinha, Arun. 1982. 'Tribal Development, Congress-I Style'. *The Indian Express*. 17 March.
Smythies, E. A. 1925. 'India's Forest Wealth'. London: Humphrey Milford.
Srivastava, B. P. 1978. In *Building Indian Institute of Forest Management*, ed. R. Gupta, CMA Monograph No. 79, IIM, Ahmedabad.
Stebbing, E. P. 1922–27. 'The Forests of India', 3 volumes, vol. I, London: John Lanne, The Bodley Head.
Superintendent, Dehradun to commissioner. Meerut Division dated 22-5-1857 No. 1997/ IV a-244 of 1857). File No. 244. List No. 2(UPRA)
Tamil Nadu FD. 1971. 'Proceedings of the Minor Forest Produce Seminar', held at Ootacamund. 2–4 November. Madras.
Taylor, G. F. 1982. 'The Development of Forest Policy in India—The Forgotten Policy, Sir Herbert Howard's Post-War Policy of 1944'. IF 108 : 196–201.
Tewari, K. M. 1981. 'Social Forestry in Uttar Pradesh'. *Forest Conference*. Lucknow.
The Indian Express. 30 December 1982.
Thompson, E. P. 1977. 'Whigs and Hunters'. London: Allen Lane.
Tucker, Richard. 1979. 'Forest Management and Imperial Politics: Thana District, Bombay, 1823–1887'. *Indian Economic and Social History Review*. 16: 273–300.
USAID, 1970. 'A Survey of India's Export Potential of Wood and Wood Products'. Vol. I, Delhi: USAID.
Uttar Pradesh, FD. 1971. 'Forest Development Project, Uttar Pradesh, India'.
Voelcker, J. A. 1897 [1893]. 'Report on Indian Agriculture'. London: Eyre and Spottis Woode.

Wallerstein, I. 1974. 'The Modern World-System', New York: Academic Press.
Walton, H. G. 1910. 'British Garhwal: A Gazetteer'. Allahabad.
Webber, T. W. 1902. 'The Fores's of Upper India and Their Inhabitants'. London: Edward Arnold.
Whitcombe, Elizabeth. 1971. 'Agrarian Conditions in Northern India', vol. I. Berkeley: University of California Press.

2

State 'Simplification'

*Garo Protest in Late Nineteenth and Early Twentieth Century Assam**

Sanjeeva Kumar

British rule in India marked a radical departure from earlier systems of appropriation and management of natural resources. Our encounter with a technologically advanced country introduced rudimentary changes in the allocation of natural resources and led to profound dislocation at various levels of the Indian society (Gadgil and Guha 1993). The community managed natural resources like land and forest were demarcated and fenced to make room for state control, and traditional, locally developed and time tested resource management systems were replaced by centralised administrative rule and institutions, often alien to land and culture. These interventions can be seen as the state's attempt to arrange the natural resources and populace in standard categories that simplified its limited function of taxation and maintenance of law and order (Scott 1998).[1] Since the state needed only the techniques and understanding that were adequate to these tasks, popular opinion, specifics of place and people, custom and indigenous knowledge were mostly ignored and the government of those days, in fact saw these with arrogant contempt and tried to extinguish them.

In this article, an attempt has been made to study the working of the process of state 'simplification' among the Garos, a northeastern tribe, inhabiting present day Meghalaya (erstwhile Assam) within the overall context of similar interventions in other parts of the country during the late colonial period. It shows that the administrative ordering of nature and society artificially fragmented the holistically managed natural resources and population of the Garos, created the basis for perceptual strife and irredentism and engaged them in a prolonged protest.

Tracing the elements of changes and continuity in the pre- and post-independence management of natural resources, the study suggests that though in the post-independence period, state and non-state development agencies are trying

* *Economic and Political Weekly* 40 (27), 2 July 2005.

to redress the past wrongs and to give back management of natural resources to whom it belonged, they must tread cautiously and guard against simplified, standardised designs to achieve such objectives.

COLONIAL 'SIMPLIFICATION' AND CADASTRAL MENACE

The three characteristics of the colonial resource management, which in many ways marked a paradigm shift, were primacy of commercial over subsistence uses, the de-legitimisation of the community, and the abandoning of restraints on resource exploitation (Shiva 1991: 113–16).

The land used largely for subsistence agriculture was converted to commercial use, and the ever increasing resource demand of the industrial revolution in England, was to a large extent, met by forced cultivation of indigo in Bengal and Bihar and cultivation of cotton in Gujarat and the Deccan, ending in large-scale commitment of land for the supply of raw-material for the British textile industry—a phenomena known as forced commercialisation of agriculture (ibid.: 16).

Another vital natural resource—forests—met the same fate. Forests in the sensitive mountain eco-system like the Western Ghats or the Himalayas were felled to build battleships or to meet the requirements of the expanding railway network, while forests of the Bengal-Bihar-Orissa region were used for running wood fuel locomotive in the early stages of railway expansion (ibid.: 15–17; also see Guha 1991: 138–58).

However, the process of ecological domination of India took a different route, compared to the regions of North and South America, i.e. the new world. The gunpowder propelled firepower of Europe and the combination of weeds, animal and diseases it brought, quickly destroyed the flora, fauna and human societies of the new world. But the colonial powers were compelled to adopt a different strategy in older and more ecologically resistant civilisations like India and China. In India they could not decimate the indigenous populations and their natural resource base; but they did intervene to alter the pattern of natural resource management (Gadgil and Guha 1993: 117–18).[2]

This was achieved by using the power of the state to make the society 'legible' so as to arrange the population, territories and resources in ways that simplified administration. The process of simplification not only permitted a more finely tuned system of taxation but also greatly enhanced the state's capacity of surveillance and control over its population. The pre-modern states were no less concerned with tax-receipts as modern states are, but their reach, due to technological limitations, was largely superficial.

The drastically simplified designs for social organisations and natural environment were achieved by superior technology and a legal framework based on notions of private property. This was best demonstrated in the new and precise method of demarcation, survey and settlement, which included traversing of boundaries of the villages, setting up of theodolite stations, their marking on the ground by earthen mounds and preparing a cadastral map to depict the 'realities'.

These operations often fundamentally changed the existing land and forests boundaries and management structure by bringing such resources under the control of the state, overlooking the existing user customs and his moral economy. In fact, the cadastral survey was more potent a weapon in the states armoury than the weeds, diseases and fire power of Europe in the new world. The survey derived its sustenance from rule of law and claimed to provide the basis for agrarian security, by clearly defining rights, simplifying boundaries and adding documentary intelligence to state power. In course of time, it became the most forceful and legitimate device of resource extraction. But, however 'simple' the system of natural resource management was to the administrator, it drew people into an alien world made up of an institutional nexus of title deeds, land officers, fees, assessment and applications.

Through this process, the state not only took over vast portions of land used by the community, which were declared as 'reserve' but also 'discovered' and assessed to revenue large areas of 'illicit' cultivation. Cultivation of more land then actually assessed was a common feature of pre-modern agrarian systems and it was related to need for subsistence. As long as common property was abundant and had no fiscal value, the illegibility of its tenure was not a problem as the customary structure of right had always been clear enough to the communities. But the cadastral map ignored anything lying outside its sharply defined field vision. Only dimensions of land and its value as a productive asset was considered. No wonder that the demarcation and survey operations were seen as illegitimate by the people (Guha 1983: 15).[3]

Besides new forms of control over land and land use, starting from the nineteenth century the British government gradually restricted access to the forest. The British needed timber for constructing colonial cities and building ships and then for building and running the railways. The first measure was taken in 1849 when certain wastelands were ordered to be formed into government estates. In 1852 fodder-fuel-and forest reserves were created (Thapar and Bhattacharya, eds. 1986: 117–18). The Imperial Forest Department was established in 1864 and the first Indian Forest Act was passed the same year, which allowed large areas of forests to be demarcated as reserves in which the government would have full right of ownership. Over the next decade the forests were surveyed, the reserves mapped out and marked, and the rights of the existing forest-dwellers set down in a paper, taking away many of their customary rights. The second Indian Forest Act of 1878 gave greater powers to the government by allowing the authorities to convert unoccupied or wasteland belonging to the villages into reserve forests, effectively depriving villages of their common lands. Forest-dwellers and pastoralists were allowed use of the forests as a 'concession' granted by the grace of government, rather than as a right. The people were allowed only limited access to the forests and were denied all power of management over it. This gradual process of control by the state, by 1900 resulted in reservation of about 20 per cent of India's land area (Rangarajan 1996: 203). Thus by asserting control over woodlands, which had earlier been in the hands of the local communities and proceeding to work these forests for commercial timber production, the state assumed a new role; it intervened in the day to day life of the Indian villager to an unprecedented degree (Gadgil and Guha 1992: 264).

Popular resistance to this vast appropriation took many forms—violent organised protest against the state, linked to the attempt to restore a golden past, non-violent confrontationist as well as non-confrontationist means.

The late nineteenth and early twentieth centuries saw wide-ranging protests by the tribals and the forest-dwellers, such as the Santhal uprising in 1855, Birsa Munda movement, 1899–1900, the Rampa and Gudem revolts, the peasant movement in Thane district in 1896 and Bastar revolt of 1910. In Uttarakhand in the Himalayas, the imposition of forest laws provoked a series of non-violent agitations from 1906 onwards. In these conflicts the people wanted to preserve their custom, culture and moral economy and asserted the primacy of subsistence over commercial use (Hardiman 1992: 48–49).[4]

However, such ecological conflicts have mostly been neglected by social historians until recently and the range of studies available is not very extensive, more so in the case of north-east India where the forest-dwellers had a close dependence on the forest both as shifting cultivators and settled agriculturists (Guha 1988).[5]

WORKING OF STATE 'SIMPLIFICATION' AMONG GAROS

In north-east India, the Garo tribals resisted infringement on the natural resources by the state and the landlords for a long period of time, often with leaders originating from their own rank, occasionally bursting out in violent protests but mostly taking recourse to non-violent confrontationist forms of protest. They resisted encroachment on their customary rights and attempts of the landlords (zamindars) to convert them into tenants in their own land; the formation of forest reserves in the Garo hills, depriving the Garos of the valuable rights they had previously enjoyed, and against the system of forced labour under which they were compelled to work without remuneration or for inadequate wages. Spread over a long span of time, their protest went beyond these limited objectives, and through a series of transformations assumed the character of a struggle for homeland.

The Garo hills is one of the constituent districts of Meghalaya, erstwhile Assam; the greater portion of the district consists of hills. It is bounded in the north and west by the districts of Goalpara in Assam, and in the east by the Khasi hills of Meghalaya and on the south by the Mymensingh district of Bangladesh. A majority of the population of the district belongs to the Garo tribe. Other inhabitants are the Rabhas, Hajons, Kochs, Rajbonsis, Dalus, Meches and the Kacharis (PlayFair 1909: 21–22).

During Mughal rule, the whole of north-east Bengal, which included erstwhile Assam, was divided into a number of big estates, held by a few powerful zamindars. The revenue settlements made with these landlords were assessed not upon the land as elsewhere but upon certain transit and market dues, mostly realised on cotton trade carried on with the Garos of the hills at the frontier markets established at the foothills. The hill Garos came into the plains through a number of passes or 'duars' for trade and other purposes (Sangma 1981: 6–7).

There were mainly four zamindars—Bijini, Mechpara, Kallumallupara and Karaibari—bordering the Goalpara district. In course of time they had annexed

such outlying areas, which ran into their zamindaris on the plains and levied a house tax on Garos stopping to reduce them to the status of tenants in their own lands (ibid.: 8–9). This resulted in chronic enmity between the Garos and zamindars, relieved occasionally by murderous raids of the hill Garos into the plains or tax gathering forays of armed expeditions into the hills (Mackenzie report 1981: 551). The relationship between the two deteriorated further during the British rule.

The acquisition of *diwani* (right to collect revenue) in 1765 secured for East India Company, the revenue of these provinces. The zamindars' claim to collect revenue was recognised, but the company abolished miscellaneous dues, which the zamindars used to collect from the Garos. However, they continued to levy them illegally (ibid.: 245–46). This resulted in Garo protests, and between 1807 and 1819 they burnt down 157 villages and killed some 180 persons. Experts opine that these raids were often driven by the Garos' urge for head-hunting, which in turn were induced by the superstition that human skulls were necessary for preparing the graves of their dead. Such explanations, however, tend to overlook the real reasons behind such acts (AS files, at Assam State Archives: 2–3).

In 1822, the zamindars were divested of the management of Garos and the British government assumed control. Bijini had no claims on the Garo hills, but Garos of Habraghat paraganah, a fiscal unit of administration under Bijini, accused the zamindars of encroaching into the small valley running into the Garo hills and connected with the plains (Lyon 1906).[6] The boundaries of Habraghat, which lay between the hills and territory of Bijini estate, were ill-defined. It appears that to keep the Garos from raiding down upon the plains, the zamindars had made some sort of arrangements with the Garos of the foothills, who in return for keeping out the hill Garos behind them, used to levy various tolls upon the villages of the plains. But this arrangement did not work for long, as the raids from the interior continued (AS files 1907: 143).[7]

Therefore, in 1831 an agreement was made by the British official, David Scott with the Garo headmen of the foothill villages by which they were given some plots of rent-free lands, known as 'bibhagnama', and a deed was executed, which enjoined upon the Garos to protect the passes. It was also stipulated that they will not be able to sell or alienate land (AS files 1907: 80).[8]

At the same time the north-eastern Garos of the border villages were brought under the influence of the British government, who paid a tribute ('nazar') to the political agent at Goalpara. Thus the zamindars were excluded from the hill, including the foothills and the Garos were directly administered by the government.

By effecting this arrangement, the Garos were divided into the following classes: (a) 'bemalua' Garos—the Garos of the hill proper, who paid no revenue to the government; (b) 'nazarana' or tributary Garos,—who occupied the belt of country lying between the hill proper and the permanently-settled Pergnas. These people owed allegiance to the British government and paid nominal tribute; (c) 'zamindari' Garos—Garos living within the permanently settled zamindari areas but separated for administrative purpose from the control of zamindars and (d) 'namdani' Garos living within the permanently settled estates who continued under the control of the zamindars (Chaudhuri 5).

While these categories helped arrange the Garos in a manner that made administration in general, and imposition and collection of taxes in particular, easy, and also gave the state greater control over the population, the grouping did not take into account the state of landed property among the Garos. The Garo cultivator was never subjected to any fixed and regular assessment and even 'the ground rent' levied by the zamindars was a cess or tribute regulated according to the number of houses and the rank of the occupants. But the new scheme introduced them to alien forms of assessment.

Moreover, the above classification did not merely involve demarcation and drawing up of boundaries on a cadastral map. Much more than measurement and taking angles, it redefined the mode of Garo's existence on the continuum of independence and subordination. An erroneous demarcation or arbitrary shifting of boundary could transform an independent Garo to 'nazarana', subjecting him to new demands from the state. And between themselves, officials kept redefining and refining these categories from one demarcation to another, and the Garos became an object of appropriation.

Also, Garos like many other tribals had a notion of solidarity and territoriality, i.e. a sense of belonging to a common lineage and a shared habitat where they were autochthons (Guha 1983: 167–219 and 278–332).[9] But the classification depicted Garos as a configuration of different groups and not as a community. Therefore, the process of state 'simplification' as reflected in an inept drawing of lines to divide Garos without even consulting them did not reflect the ground reality but only that part which interested officials. Thus it created the ground for perennial discontent and protest, as we would see.

Due to difficult terrain, both the boundaries of nazarana and bhibagnama land remained ill-defined. In 1849–51 in an attempt to define the boundaries, the Kelso Line[10] was drawn. Everything north of it belonged to the zamindars and to the south, to the government, which included part of 'Nazarana Mahal' or the annexed Garo hills. The work was indifferently done and the number of inlets and valleys, which were in possession of the Garos were claimed by the zamindars (LeMesurier 1907: 145).

Naturally, the Kelso Line was not favoured by the Garos, who again resorted to raids. In 1852 seven Garo raids took place in which 44 persons were killed. Though a subsequent blockade and closure of the frontier markets procured the surrender of some Garos and peace for some time ensued, in 1856 the raids were renewed. Between May 1857 and October 1859, 20 heads were taken in the course of nine forays into Goalpara. This could be controlled only in 1861 after a show of force. In the meantime, the zamindars of Bijini continued to levy tribute and cesses on the Garos. In order to extinguish these claims, in 1869 the Garo hill was constituted into a separate district (ibid.: 146; also, Chaudhuri: 7).

To determine the northern boundary of the district, a survey was carried out by Beckett, a British official, transferring to the Garo hill district, a big slice of land from Habraghat. The zamindars threatened with a summary extinction of their rights and instituted a civil suit against the government. Ultimately a compromise was reached

in 1878, wherein it was agreed that the government should collect the rent and hand over 75 per cent of the gross collection. This was resented by the Garos as the zamindars did not have any locus standi in the matter (LeMesurier 1907: 146).

These developments showed that the authority of the colonial state, far from being neutral to the relationship between the zamindars and the Garos, in fact assisted in the superimposition of landlordism. As we shall see, while the zamindars' right to rent collection was recognised, the prevailing custom, nokma by which village headmen, 'nokma' used to collect rent from the lowlands fit for cultivation was entirely overlooked.

As per the Garo custom—both in the hills as well as the plains—nokma was considered as the owner of the village lands. He alone had the authority to set up the 'shongkosi' or village sacrificial stone, which were to be found at the original village site. Garos also considered that the plains lands formed an integral part of their village and had their own notions of domain in terms of how they distinguished themselves from the 'other'. If the plains lands were cultivated by the Garos of the nokmas own clan, they paid no rent. If any 'rabha' or 'kachari' cultivated the village land, they paid rent, and any outsider who came to the Garo village had to pay tribute to the nokma (ibid.: 148).

But the government claimed that bhibagnama and nazarana land agreements were accepted by the Garos in extinction of all pre-existing rights to receive tributes of various sorts; and any claim in this regard was opposed to the natural rights of the government (ibid.: 150).

Earlier, in the Garo hills, to the extent that land in itself lacked value, the frontier lay open. Neither the government nor the zamindar knew which resources lay where, in what quantity and were being used by whom. Since, the resources had no marketable value owing to the vast stretches of waste land, paucity of population, and the want of communication, the cultivators enjoyed these customs without let or hindrance. But after the conquest of the Garo hills, primarily due to revenue considerations, these commodities attained considerable market value and the gradual realisation by the zamindar of this potential wealth and its 'wasteful management' in the past, led to a strict system of control. The zamindars started periodic measurement of cultivators' holdings known as 'ek-andaz jarib' and changed the system of revenue collection replacing the old elastic system of collection through mauzadars for one of collection by 'tehsil' officers, who would sit in their court and send out peons to fetch in the cultivators and make them pay. The establishment of the zamindari court with more systematic management involving survey and settlement led to the discovery and assessment of lands previously held rent-free. From the date of this settlement operation, Garos refused to pay rent (Chaudhuri: 12; Arbuthnott 1907: 98–99, 130).

The resentment caused by the gradual infringement of these immemorial rights was aggravated because of the new regulations that accompanied introduction of miscellaneous fees, insistence on the submission of various applications and petitions for passes. Moreover, these regulations were effected unsympathetically, and the fees extracted was often excessive. But to the government this was merely a matter of

procedure as the zamindar had every right to safeguard the resources of what was undoubtedly their own property and these 'easements' were not absolute right but privileges which admitted of regulation from time to time (Chaudhuri: 12).

The crux of the matter however, was that the rights and customs enjoyed by Garos were out of step with the age. Though the Garos pursued not a luxury but a livelihood, which depended upon the survival of customary use rights over the land and upon some form of social institution like the nokmas by which conflicting claims to use rights over the natural resources could be resolved, it had become an anachronism. The state was enlarging control over natural resources increasingly in an altogether different guise.

Thus even in bibhagnama and nazarana settlements the government and the zamindar began to invent new claims. In 1858 some of the bibhagnama grant was resumed and assessed as revenue as the holders were in possession of 'more than the equivalent of their grants. There was an attempt to oust the Garos from bibhagnama lands in 1877 on the ground that these were service tenure and liable to extinction as the need for services terminated with the British occupation' (AS files 1903: 41–42).[11]

Under the nazarana settlement, the Garos, in recognition of the suzerainty of government before the conquest of the hills in 1862–72, paid a nominal tribute. After the annexation of the hills a house tax was imposed, and in 1887, the government decided to treat it like all other lands and to assess them to full revenue (Arbuthnott 1907: 83, 89). However, payment of tribute in nazarana land was resisted right from the beginning was always in arrears, and was seldom paid without a military demonstration (Lyon 1906: 70).

The land policy of the government was replicated vis-a-vis the forest and just as the government found it convenient to ignore all but the main use of the land for revenue so it did in relation to forest, aggravating the agrarian disaffection. Regulations governing the reservation and use of forest were introduced, which seemed to conflict with Garos traditional rights to fuel, grazing and cultivation. In fact, here one can see some interesting parallel between the state land policy and development of modern fiscal forestry. Between 1883 and 1895, a forest area of 139 sq miles was reserved. The government asserted that all wasteland in the hill districts was at its disposal and no compensation other than for existing cultivating rights was accordingly paid for these blocks (Lyon 1906: 74). This was based on the assumption that the land on which the forest stood was the property of the government and that it had the right to tax its users, and the forest-dwellers had no legal claim whatsoever. The first casualty were the Garos' dwelling houses in the reserve forests, which were demolished, by merely paying a paltry sum as an 'act of grace'—the cost of removing each house (LeMesurier 1907: 158).

The Garos had been practising shifting cultivation or 'jhum' in the hills from time immemorial. While it is difficult to say about its harmful effect on forest conservation then, it is certain that shifting cultivation was done sparingly and less intensively because they were guided by subsistence needs rather than pecuniary value. Moreover, some conservational measures were inbuilt in such practices, e.g.,

Garos would not resort to shifting cultivation above a certain elevation under the idea that above a certain altitude the mists ruined crops. It was also regulated by the 'nokmas'. But the officials striving to establish control over the natural resources, preferred sedentary agriculture to shifting cultivation and held that the reserve areas would not last for more than three years if thrown open and as a consequence 'jhuming' was made illegal (ibid.: 158–59). Similarly the practice of collecting axe money from wood-cutters from the plains was prohibited, and the Garos were asked to obtain trade permits in minor forest produce against payment of a fee (Arbuthnott 1907: 122).

Thus the policies of the state which were confined to their direct needs of revenue, completely overlooked the negotiated social use of forests by the Garos—grazing, collecting food and its likely significance for rituals. They also failed to realise that the dependence of the Garos on forests was independent of categories created by the state. Alongside these 'standardised' and 'simplified' forms of control over natural resources, a 'legible' method of recruitment and incorporation of labour was also introduced, i.e. impressed labour, which tended to transform the Garos into servants of the state. Under this new dispensation, the Garos were compelled to work in road construction without any remuneration. They were also engaged to carry loads. The system was coercive and for recruitment the state often took recourse to quasi-criminal proceedings (LeMesurier 1907: 160 and AS files: 164).[12]

The demand for labour to open out a new road from Tura to Bangalkatta led to disturbance towards the close of 1880s, whereby inhabitants of some 18 villages who were not accustomed to contribute labour for work united to strike and threatened to injure any other villager who would obey government orders. In 1886, the deputy commissioner, Garo hills, marched from Tura and asked them to surrender. On refusal the village was burnt, after which, the combined unity of the Garos collapsed (Sangma 1981: 38).

The vexed and unsettled question of demarcation again came to play in 1899–1900 when the zamindars asked that the 'Beckett' boundary should be properly laid so that they might know the southern boundary of their land, but the demarcation was done without giving notice to anybody in general or to the Garos in particular. Officials of the Bijini estate set up their own marks, giving the impression that Bijini was again moving forward and taking over land in the Garo hills (LeMesurier 1907: 147).

Thus the old boundary line, drawn by Kelso, was removed to create a new boundary line encroaching further on Garo territory. The Garos were much excited by the survey proceeding as well as by the prospect of collection and handing over of 75 per cent of rent to the zamindars (AS files 1904: 61). In 1901, one of the boundary marks erected by the survey on Kelso Line, was destroyed by the Garos, for which one Fongfong Lakshar was convicted and sentenced to a month's rigorous imprisonment; five others were 'bound down' to keep peace for one year. The plea of the accused, that they did not know that it was a government mark, but thought it had been put up by the 'raja' (zamindar) of Bijini, was dismissed. [This was not an unnatural conclusion seeing that the representatives of the Bijini estate pointed out the boundaries to the survey party (Arbuthnott 1907: 92)].

From hereon, the protests took on strength led by one Sonaram Sangma, an ex-public works department employee, who supported by the nokmas, transformed the agitation into a claim by the Garos, first only to nazarana and bibagnama lands; and soon to the whole of Habraghat.

In 1902, Sonaram along with Bosin Sirdar and Soleyman Garo was 'bound down' to keep peace for one year. In his statement before the court, Sonaram mentioned that about 100 years ago the Garos had a right over the nazarana land. They used to collect rent from the cultivators on these lands and were in possession of it for a long time, but this had now been taken away. He also induced other Garos, who were in possession of bibagnama grants, to register the lands to secure their claims (Arbuthnott 1907: 93).

That same year, in December, Sonaram marched with a following of some 700 Garos from the hills from Habraghat to Dalgoma Ghat, where they constructed an encampment of huts and posted notices forbidding cultivators to pay rent to the zamindar. The ringleaders were arrested and prosecuted. Sonaram was sentenced to one year imprisonment, and called on to furnish a heavy security; in default of this, he was committed to jail, where he remained till April 1904. Immediately on his release, the agitation was resumed and a memorial was submitted to the governor general of India, stating that the existing arrangement was like a 'decision between two persons of a third person's property and at any rate no law of any civilised country nor common sense can dictate such agreement to be at all binding upon the Garos, who were no way party to the same'. But the government remained unresponsive (ibid.: 95; Lyon 1906: 65).

For the next five or six years the zamindars were unable to realise rent because of the movement. The Garo cultivators ceased to pay rent on the plea that they were waiting for a decision in Sonaram's case and that 'Barah Lashkar' had ordered them not to pay. In fact, in the Garo agitation almost everything was said to be done by the authority of 'Barah Lashkar'. Derived probably from 'barah' or 12, it did not, however, mean 12 'lashkars', but an indefinite number of 'lashkars', i.e. anything that the villagers did jointly (Jakson 1903: 44). But while the payment of rent was withheld by the order of 'Barah Lashkar', the collection of 'Ha-ul' or quit rent, which the nokmas used to get from non-Garos was revived and was added to Sonaram fund to fight the legal battle. Thus the Garo combination not only questioned the zamindar's claim to collect rent but also established a parallel system of rent collection, with the objective to restore the old 'Garo Raj'.

In the meantime, the government tried to split the movement by offering 25 per cent of the ordinary land revenue of nazarana land to some of the nokmas, but in a demonstration of solidarity, it was repudiated and the agitation was at once renewed. Further proceedings were taken against Sonaram, who was again imprisoned (Arbuthnott 1907: 95).

By this time, it was evident that the agitation had assumed dangerous proportions, and that the principal claim advanced was for the recovery of the whole of Habraghat Pargana (ibid.: 95). In order to increase the sphere of its operations, Sonaram appealed to the hill Garos and offered to secure to them the reserve

forests and a complete abolition of all forced labour (ibid.: 108). A further claim for the recovery of Habraghat was made by Sonaram on the ground that he was the proprietor, on behalf of his wife, of the entire pargana, a tract of country some 400 or 500 sq miles in extent. This claim was put forward in light of his wife's reported descent from one Dhansingh Lashkar, 'who was not only the master' of the pargana but 'skhutong' or chief of all the nokmas of the northern hills. The illustrious Dhansingh, according to Sonaram, not only collected rents from 'Rabhas' and 'Kacharis', and foreign cultivators in Habraghat up to 1849 but also collected tribute from villages far interior hill areas (ibid.: 106–7).

Meanwhile, a number of rent suits against Garo tenants were instituted by the Bijini and eventually decided in its favour and executed in 1908. Though Sonaram got a title suit instituted on behalf of the Garos in the court of the district judge of Guwahati, it was dismissed in 1911. As a result, between 1908 and 1912 several ejectment suits were instituted and executed against the Garos (Chaudhuri: 11). Another attempt to claim their land from Bijini was made when in 1915–16 the Garos led by one Mongal Singh petitioned the government claiming customary rights over the territory and soon the non-Garo tenants followed suit. A large number of petitions were submitted to the government and frequent gatherings were held to devise means to protect these rights and an inquiry was ordered, but to no avail (ibid.: 11).

Dissatisfied, the Garos instituted a suit for declaration of the above customary right in 1920 (ibid.: 13). From the various memoranda submitted by the Garos to the government of India, government of Assam and various commissions, it appears that the matter was carried out in the high court in Calcutta until the outbreak of the Second World War (Sangma 1981: 43).

Conclusions

The protest of the Garos was the result of their general dissatisfaction with the colonial natural resource management based on expropriation—encroachment, reservation of forests, imposition of rent, forced labour and infringement on customs. Like many such movements, traditional leaders and the clan played a key role in social mobilisation and action. The nokmas joined the agitation in large numbers as these dispossessed headmen represented the uneasy response of the tribals to the combined impact of the zamindar and the colonial government on an agrarian order which was the very basis of their survival as well as their way of life. It was, therefore, not surprising that various seemingly unrelated grievances combined to transform the movement to a broad-based struggle for a homeland in which both the hill and plain Garos participated. In fact the recovery of the lost homelands of the tribe was a central aim of many tribal movements during the colonial period (Singh 1965).[13]

But the Garo protest was a struggle of the weak against the strong. They faced powerful new specialists in the form of clerks, surveyors, lawyers, and they were unfamiliar to the rules and procedures. Moreover, their conflict belonged to an era of state simplification, which disliked the complexities of coincident use, and treated

indigenous knowledge and customs as backward. It was not expected that it would ever give priority to subsistence over revenue.

Predictably, the Garos claim to Habraghat was termed as revival of an ancient dormant or extinct claim and an idiosyncracy of the hill-men, by the officials, and the notions of legality and legitimacy implicit in such movements were overlooked (Arbuthnott 1907: 105). It was thus contended by the government that even if any injustice had been done by the encroachment of the zamindar, it was impossible to rectify it since whatever right the Garos might have originally possessed over the areas, that now formed part of zamindars, the title of zamindar was for good and the Garos had no legal claim. Similarly, on the question of reservation of forests, it was held that reserves in the Garo hills were constituted in the same way as in many other parts of the country and wasteland was treated as being at the disposal of government and no compensation was given and, therefore, it was undesirable to reverse it. Regarding the system of forced labour, though it was agreed to abolish it for road construction, it was to continue for the carrying of officers' baggage (Carlyle: 164–68).

Therefore, it appears that the Garos could not obtain any major concession from the government despite a prolonged fight and to that extent their movement was unsuccessful. Yet, the legacy of such movements and the colonial forestry debate generated by them have more than a fleeting relevance to contemporary developments. This is because natural resource management in the post-colonial period is marked both by continuity and change. The continuity is with regard to the centralised framework of forest management introduced by the British, which is still in place. Though a series of administrative changes, which reflect the contending pulls on forest management, have been introduced, issues like relative claims of the industrial and agrarian sector over natural resources, the respective proprietary claims of individuals, communities and the state and finally the role of natural resource management in an alternative development strategy are still important.

But within this framework the role of the state has changed a great deal. Whereas, in the past Indian forests were primarily managed by an unresponsive state for generating maximum revenue from the sale of timber, the emphasis has now shifted to resource conservation and people's participation in forest management. There is growing realisation that centralised management of natural resources based on a culture of exclusion and rules cannot contribute to the sustainable management of natural resources, and this has led to a series of policy changes in the recent past that provide an ever widening democratic space to the local communities for articulating their needs and managing natural resources. Community-based management is, in fact, being increasingly put forward as an alternative to the state control.[14] These initiatives are in a way trying to reverse the legacy of centralised system of natural resource management.

However, opinions vary regarding the means to achieve the decentralisation of natural resources. One extreme view is that control of forestland be completely handed over to the communities. In the prevailing context of disinvestment and market economy, this theory finds common cause among those who are keen to

reduce the powers of the state. It is primarily based on the premise of a supposed dichotomy between the state and the market economy wherein the two are seen as mutually antagonistic. But for us it will be more rewarding to study and analyse the conditions under which state action and market functioning combine to advance growth and development 'as developing countries need both the state and market—locked not in rivalry but in synergy' (Kishore 1996: 411–12).[15]

Also, 'forest to the people' theory erroneously assumes the conditions of homogeneous community, which in the past often favoured collective management, still exist, or can be recreated. But given the prevalent heterogeneity and inequality of our society, one doubts if such an intervention will enable the poor to take control of these resources and while the reversal of the process is desirable one has to be wary of what might replace it. Moreover, the process of democratisation while improving incentives for community participation in management, has increased the possibility of conflict in areas where a large number of people need to compete for access or control over resources. Thus the state intervention in management of natural resources to protect the rights and livelihood of the disadvantaged poor and to strike appropriate balance between various, and often conflicting interests, needs is to continue, at least for the time being. This would also mean that the process of reversal, which is an exercise in self-exploration and self-definition would be slow. But in such an experimental approach to social change, it is always advisable to take a small step, stand back, observe and then plan the next small move. Big and irreversible interventions have irreversible consequences, as has been amply demonstrated.

However, we are not suggesting that the present framework of community forest management has been adequate to the task. The main features of participation presently includes setting up village protection committees, establishing and monitoring management plans mainly for the degraded forests and ensuring right of the community over use of grass and non-timber forest products and over a share of the income from the timber sold by the forest department. Though the state promotion of community participation during the last decade has undergone experimentation, research and adaptation, more efforts to ensure participation of local people and incorporation of their knowledge is needed as the felt need for the project itself is often lacking (Sundar 2000: 255–79).[16]

For instance, while in practice forest department depends on the knowledge and expertise of villagers for many of its functions, in most cases the centralised working plans of the forest department exercise supremacy over the community-based micro plans and little attempt is made to integrate villagers need or knowledge into the actual management of the forest. Mapping resources and social composition of the community through the use of participatory rural approach techniques is one of the major components of participatory management, which is seldom taken into account. Quite often targets and the availability of species in the forest department nursery determine what is planted. The choice of certain species over others, or the choice of certain silvicultural methods over others, is not just a question of local knowledge, but if right species are not included, environmental action meant to help

the poor may end up harming them (ibid.: 271–73). Restrictions on harvesting and transportation and monopoly in marketing of many forest products still continue. Also, there have been instances when the universal application of community-based forest management prescriptions have ignored demands of self-initiated forest protection groups and overlooked the skills, intelligence and experience of the local people (ibid.: 268).

Thus it seems that though the government interventions in theory stand to promote popular participation in natural resource management, they are in danger of becoming just another top heavy project of 'standardisation' and state 'simplification', bereft of peoples involvement and indigenous knowledge. The power of practical knowledge gained through participation of communities, which is derived from close and astute observation of the environment, may prove more useful than a mechanical application of generic rules that ignores particularities and invites practical failure and social discontent.

To conclude, our quarrel is not with state 'simplification' ipso facto. After all we have greatly benefited from state created simplification in the areas of public health, transportation, communication, universal education and public distribution system. What has proved to be dangerous, however, is the continuation of the universalist pretensions of knowledge and monotonic schemes in the guise of participation to achieve such objectives. While community participation is a mechanism for sustainable development and eliminating poverty, it should not become a means for exercise of bureaucratic state power, which uses participation as its point of entry. Whether this requires merely a better informed state or more reformed state is the question to be answered.

Notes

1. The twin concepts of state 'simplification' and 'standardisation', have been used by Scott, to analyse the growth and nature of the modern state and he presents a formidable argument against using the power of the state in an attempt to reshape the whole of society by 'standard' and 'uniform' acts of simplification. I am grateful to him for initiating me to these concepts, which transformed to colonial context, assumed all the more authoritarian and distorted character, as has been shown in this article.

2. Gadgil and Guha contend that while in new world, ecological domination made way for political conquest and consolidation, in old civilisations like India, it was the other way round.

3. Ranajit Guha mentions about the anti-survey song in Sandip dialect published by Grierson. Similarly, the folk memory has preserved many such songs in Assam. This could be a fascinating and rewarding area of research.

4. Supportive evidence comes from historical experience of pre-capitalist Europe where villages resisted any attempt to curtail traditionally held rights over forest produce and pasturage. See for example, Thompson (1977). E. P. Thompson in his masterpiece has vividly depicted the violent social conflict in royal forests in early eighteenth-century England between the Whigs and the forest-dwellers. But while in west Europe social conflicts rose because of private appropriation of the forests, in the ecological history of India, the communal management of woodland had to resist the state, rather than private ownership.

Also see Thompson (1971). Thompson has highlighted the question of alternative use of natural resources in his study of eighteenth century food riots in England and shown that while the customary use of the forests was based on a moral economy of provision, scientific forestry rested on political economy of profit.

5. Amalendu Guha briefly mentions these peasant struggles in Jaintia Hills, and lower Assam districts but a detailed, analytical account is wanting.

6. P. C. Lyon, chief secretary to the government of Eastern Bengal and Assam, to the secretary to the Government of India, revenue and agricultural department, No. 6865-C, 13 July 1906, p. 69, A S files.

7. LeMesurier, Offg chief secretary to the government of Eastern Bengal and Assam, to the secretary to the Government of India, department of revenue and agriculture, No. 12974-C, 26 November 1907, with regard to the Garo memorial of 1904, p. 143, A S files.

8. J. C. Arbuthnott, commissioner, Surma Valley and Hill Districts, to the chief secretary to the government of Eastern Bengal and Assam, No. 164, report of 11–30 May, 1907, p. 80, A S files.

9. See Guha (1983), pp. 167–219 and pp. 278–332 for a detailed account of the twin concepts of solidarity and territoriality.

10. This was known as Kelso Line, named after the officer in charge of demarcation.

11. Report on Bibhagnama lands by F. E. Jakson, Offg deputy commissioner, Goalpara, 12 February 1903, pp. 41–42, A S files.

12. LeMesurier (1907), p. 160 and R. W. Carlyle, secretary to the Government of India, to the chief secretary to the government of Eastern Bengal and Assam, No. 358–507–2, p. 164, A S files (Re-print).

13. Singh (1983) has given a detailed account of Birsa's campaign for the homeland. Also see Fuchs (1965).

14. Efforts to involve community in forest management has received attention in India for a long time. Perhaps the first attempt in this direction was made in West Bengal in 1972. The government of India issued a circular in June 1990 supporting joint planning and management of degraded forests in all parts of India mentioning at length the procedures for constitution of committees, membership, responsibilities and benefits. Such arrangements have been established in a number of states.

15. The so-called dichotomy between the state and market has been cogently questioned by Kishore (1996), who has argued that alternative to absolute states are not necessarily minimalist state and in fact both the state and market often need each other. Thus there is a need for the civil society that can contribute to more constructive relationship between the two.

16. For an empirical study of the functioning of participatory forest management in India known as joint forest management see Sundar (2000: 255–79). The author has shown that there are several important aspects of joint forest management, which are completely non-participatory or are fragile.

References

Arbuthnott, J. C. 1907. Commissioner, Surma Valley and Hill Districts, to the chief secretary to the government of Eastern Bengal and Assam, no. 164, report of 11–30 May, 1907, p. 80, A S files.

Bhattacharya, Neeladri. 1986. 'Colonial State and Agrarian Society'. In *Situating Indian History*, eds R. Thapar and S. Bhattacharya. New Delhi, pp. 117–18.

Chaudhari, Babu Gurucharan. Additional Manager, Bijini Raj Ward's Estate, *A Brief History of the Garo Agitation in Habraghat Paraganah, Assam Secretariat*, (hereafter A S) files, at Assam State Archives, Dispur, pp. 2–3.

Fuchs, Stephen. 1965. *Rebellious Prophets: A Study of Messianic Movements in Indian Religion*. Bombay: Asia Publishing House.

Gadgil, Madhav, and Ramachandra Guha. 1992. 'State Forestry and Social Conflict in British India'. In *Peasant Resistance in India 1858–1940*, ed. David Hardiman. New Delhi: Oxford University Press, p. 264.

Gadgil, Madhav, and Ramachandra Guha. 1993. *This Fissured Land—An Ecological History of India*. New Delhi: Oxford University Press, p. 5.

Garo Memorial, 13 December 1904 to the Government of India, p. 61, A S files.

Guha, Amalendu. 1988. *Planter-Raj to Swaraj: Freedom Struggle and Electoral Politics in Assam 1826–1947*. New Delhi: People's Publishing House.

Guha, Ramachandra. 1991. *The Unquiet Woods—Ecological Changes and Peasant Resistance in the Himalayas*. New Delhi: Oxford University Press, pp. 138–58.

Guha, Ranajit. 1983. *Elementary Aspects of Peasant Insurgency in Colonial India*. New Delhi: Oxford University Press, p. 15.

Kishore, Adarsh. 1996. *Economic Reforms: State—Market Synergy*. Jaipur: Rawat Publications, pp. 411–12.

Le Mesurier, H. 1907. LeMesurier, Offg chief secretary to the government of Eastern Bengal and Assam, to the secretary to the Government of India, department of revenue and agriculture, no. 12974-C, 26 November 1907, with regard to the Garo memorial of 1904, p. 143, A S files.

Lyon, P. C. 1906. P. C. Lyon, chief secretary to the government of Eastern Bengal and Assam, to the secretary to the Government of India, revenue and agricultural department, 13 July 1906, No. 6865-C, 13 July, 1906, p. 69, A S files.

Mackenzie, Alexander. 1981. *North-East Frontier of India*. Delhi: Mittal Publications, Appendix K, p. 551.

Playfair, A. 1909. *The Garos*. London: David Nutt, pp. 21–22.

Rangarajan, Mahesh. 1996. *Fencing the Forest, Conservation and Ecological Change in India's Central Provinces, 1860–1940*. New Delhi: Oxford University Press, p. 203.

Report on Bibhagnama lands by F. E. Jakson, Offg deputy commissioner, Goalpara, 12 February 1903, pp. 41–42, A S files.

Sangma, Milton S. 1981. *History and Culture of the Garos*. New Delhi: Books Today, pp. 6–7.

Scott, James C. 1998. *Seeing Like a State—How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.

Shiva, Vandana. 1991. *Ecology and Politics of Survival*. United Nations University Press and Sage Publications, pp. 113–16.

Singh, K. S. 1983. *Birsa Munda and His Movement; A Study of Millenarian Movement in Chotanagpur*. Calcutta: Oxford University Press.

Sundar, Nandini. 2000. 'Unpacking the 'Joint' in Joint Forest Management'. *Development and Change* 31: 255–79.

Thompson, E. P. 1971. *The Moral Economy of the English Crowd in the Eighteenth Century, Past and Present*, no. 15, February.

Thompson, E. P. 1977. *Whigs and Hunters: The Origin of the Black Act*. UK: Penguin Books.

3

Peasantisation of Adivasis in Thane District*

Ashok K. Upadhyaya

One of the peculiarities of Thane[1] on the eve of British colonialism was it had been under Hindu, Muslim, Maratha and Portuguese rule, the latter two contemporaneously squeezing the peasantry through their multiple revenue systems. If unevenness of land relations marked Bombay Presidency as a whole, this was all the more true of Thane district, where, as a result of these various rulers, differing land relations had emerged with their accompanying revenue and tax systems.

The coastal regions of the district, mostly flat marshy land, were rice lands which the early Hindu kings, without measuring them, divided into parcels or blocks. These were estimated to require a certain amount of seeds or to yield a certain amount of grain. The levy was then calculated at one-third, and was known by several names—'dhep', 'hundabundf', 'kasbandi', 'tak-bandi'.

The hilly and forest tracts, forming the major part of the Dahanu subdivision, was inhabited by tribals who gained a scanty living by tilling forest glades and hunting. Practising shifting cultivation, the only contact with civilisation was a plough and sickle cess, which continued as the principal form of assessment till the entry of the British into the district.

During the Muslim rule, the Bahamani kings of Ahmednagar who held sway over the district maintained the levy of rice lands at one-third till the sixteenth century, when revenue officers for the first time undertook measurement of the land and reduced the government share to one-sixth, payable partly in grain and partly in money. The plough cess on the upland (hilly tracts) continued.

Elements of a stable revenue administration were introduced by prohibiting vexatious practices of collecting extra cess on any pretext while peasants were granted proprietory rights known as 'kularag'. Revenue was collected by the Iculkarnf, (village accountant) and brought by subordinate agents to the government treasury.

With the advent of the Portuguese rule in the territory, changes occurred, especially in the revenue system of rice lands. A class of European landholders ('fazeindeiros')

---

* *Economic and Political Weekly* 15 (52), 27 December 1980.

was established over and above the actual tillers, who were now required to pay rent to these landlords at the rate of 50 per cent to 60 per cent of their produce. The Fazeindeiros themselves held the land on a quit rent at four per cent of the former rental. The levy paid by the Portuguese fazeindeiros was extremely low, principally to provide the incentive for reclamation of salt marsh lands (ibid.: 553).

As for the results of the establishment of Portuguese landlords, accounts by the British officials regarding the position of the tenants (as recorded in the Bombay Gazetteer) varied. One official, while admitting that the actual cultivator was no more than a tenant at will, however felt that his position was definitely better off than before. Another suggested that they 'were poor wretches worse than vassals'. The Gazetteer, while noting these accounts however added that the latter's pity seemed to have been aroused by 'their (tenants) want of freedom rather than by their want of food and clothes'. But both officials were unanimous in their description of the landlords who were 'living in such splendour in fine countryhouses and ... enriched beyond measure'.

Contemporaneously, the Marathas, who had ceded Salsette division to the Portuguese, continued the practice of revenue farming which had begun towards the end of Mughal rule. Large tracts of land were auctioned off to Deshmukhs and Deshpandes, as before, with the change that instead of giving them rent free izafat villages, they were paid a fixed percentage (6.69 per cent) on their revenue collections (ibid.: 556).

The Marathas simultaneously created a class of landlords called 'Panderpes-has' who for a time existed side by side with the Fazeindeiros in the rich coastal lands. Once the Portuguese had been driven off, most of the lands of the Fazeindeiros were occupied by these Panderpeshas, who like their predecessors employed tenants at will and kept slaves. These Panderpeshas were usually of the higher castes (Brahmins and Prabhus) who received lands on low rates of assessment, and also held high offices, often acting as agents for the commandants of the hill forts. They also kept slaves largely to till their land.

As for the tribals who were still occupying the larger parts of the upland regions and growing 'nachni' (a coarse grain) some of them had already become the slaves of the Panderpeshas but by and large they continued their own activity—with a difference. The Maratha system of revenue farming and increasing powers to the village headmen had led to exorbitant taxes and levies on the tribals. The tribals suffered much oppression at the hands of patils and talatis.

The first signs of 'begar' (forced labour) had also appeared, largely as a result of the multiple levies imposed on the tribals due to revenue farming and the needs of the Panderpeshas. Its institutionalisation as a part of the production process, however, was to take place only subsequently, under British rule.

EXPERIMENTS IN EMPIRE

By 1818 the British had established their political sovereignty over western India and began the consolidation of their power by establishing a centralised state apparatus and a uniform land settlement.

In Thane district, they inherited two principal problems. On the one hand, the district had a confusing variety of multiple land tax and revenue systems; and on the other, a large section of the population, the tribals, not only fell outside the pale of any regular tax/revenue system, but also indulged in frequent 'dacoity' and 'gang robberies'. Gang robberies were frequent as a result of both the increasing hill tillage levied on the tribal produce which in any case was meagre, and the practice of shifting cultivation, which allowed the tribals a great deal of mobility.

The first ten years of British rule were spent in evolving the method of survey operations itself, and little advance was made apart from the outright abolition of petty taxes (ibid.: 562). By 1830 survey operations had begun, revenue farmers were replaced by village accountants, unequal assessments were reduced and equalised in order to encourage tillage.

Side by side, the British began their policy of 'settling' the tribals. As a part of the policy followed all over the Presidency, 'gang robberies' were met with utmost severity. At the same time, the various taxes on hill culivation were abolished and the rates of assessment on tribal lands were considerably reduced (ibid.: 586). The process of settlement was necessitated both from the point of view of the 'law and order' problem and the increasing revenue that could accrue to the British if this sizeable section of the population (40 per cent of the total population of the district in 1872) (ibid.: 60) did settle down to the cultivation of virgin lands, especially in the interior and hilly regions.

By 1852, Colonel Francis had begun survey operations for the imposition of a uniform land settlement. There was a considerable debate as regards the utility of special tenures. By 1860 when survey operations were nearing an end, however, the privileges hitherto available to the Panderpesha tenure was greatly reduced, and the rates were raised to bring them on par with the rates on the raiyatwari tenures (ibid.: 534).

Some of the other hitherto existing special tenures were maintained, but by and large the special tenures were done away with. By the time the first revenue settlement was completed (1862), a uniform land settlement had been imposed. Its principal feature was the recognition of proprietory rights on the land on payment of a revenue generally fixed for thirty years, in cash. The rights of alienation were recognised and were made cognisable in the courts of law. As a measure of the incentives for the tribals, special privileges were granted for the wilder regions. The tillage of forest lands was lowly charged in terms of a sickle cess, and under a special provision Kathkaris were allowed to till half bigha of land free of charge (ibid.: 592).

Settlers Arrive

The emergence of a centralised state apparatus that not only legalised the land settlement but reproduced the conditions necessary for the maintenance of 'law and order', and the perpetuity of the land revenue system, attracted a large number of settlers into the district. From the Ratnagiri and Deccan areas came the Brahmins

as priests to the Lingayat traders and Kunbi peasants; they were to subsequently also provide the personnel for the growing colonial state apparatus, *albeit* at the lower levels of the hierarchy. The Gujarat and Marwar Brahmins were to serve as priests to the Gujarati and Marwari traders; whereas those from northern and central India ended up as messengers, labourers and servants. The most significant influx was however of the Marwari Vani, a trading community from Rajasthan, Lingayats from south Deccan and Bhatias from Kutch and Gujarat, as traders, moneylenders and shopkeepers. The significance lay in the fact that not only was the Marwari Vani community to play a dominant role in determining the emerging social formation, but was also the first trading community to enter into the 'wilder' areas of the district even as early as 1830. 'Their first general movement into the district followed the very liberal and general reduction of rent that was introduced over the southern and western parts of the district between 1835 and 1838. The reductions left a large margin of profit to the landholder and the Marwari came, advanced money at from 100 to 200 per cent to the husbandmen and sold them up. In 1846, the Collector, Mr Law, noticed that of late the avaricious Marwari had begun to settle down even in the remotest villages' (ibid.: 114).

Alongside the Marwari, the Muslim and the Parsi communities were also to become dominant in terms of both landholding and trading. These two communities were earlier settlers having entered the district *via* the coast; and the Muslims had settled as traders in timber and grass and the Parsis had entered the liquor business (ibid.: 61). It was during the British rule that they were to venture into moneylending and thus appropriate lands. They too were to settle in and colonise the wilder regions of the district (Dahanu, Umbergaon) subsequent to the growing importance of Dahanu town was a major halt on the Bombay-Ahmedabad railway line. The Talheri Kunbi found almost entirely in the centre of the district along the basin of the Vaitarna existed as serfs in the days of the Marathas and Portuguese. Under the British rule, and the Raiyatwari settlement many of them became landholders and began to grow rice; a few in the coastal villages had coconut or mango orchards and grew vegetables.

The tribals, constituting 40 per cent of the total population (in 1872) however remained a strong characteristic community of the district. They were (and are) to be found in a considerable number over most parts of the district, except for the richer coastal tracts. Except for the Mahadev Kolis, who came from the Deccan in the fourteenth century, all the others, Agris, Varlis, Thalairs, Kathkaris, Dublas, Vaitis, Konkanis and Chodiahs, were the earliest settlers in the district.

As a result of both the severity with which 'gang robberies' were crushed and the easy rates of assessment on Varkas' (upland) lands, many tribals settled down to regular cultivation, *albeit* with varying degrees of prosperity. By 1859–70 the Varlis and some Kathkaris, the two most downtrodden tribals, had also begun to grow grass and coarse grain, though the Kathkaris by and large retained their traditional occupation of felling trees and making 'catechu'. Enquiries conducted in 1877 by the British authorities showed that the 'Kathkaris ... were still degraded but Varlis had settled down and some were even prosperous like ordinary husbandmen' (ibid.: 156).

Beginnings of Peasantisation

On closer examination, however, the 'prosperity' of the tribals consequent on their taking to regular cultivation—or even the process itself—was nothing more than the juridical expression of the real relationship that was inexorably emerging as the basis of the social formation in the district. In other words, the process of settling the tribals was nothing but their transformation into tenants of the moneylender-landlord combine. A large number of tribals who took advantage of the reduced rate of assessment to become independent ryots had to rely on the local moneylender both for seed capital and consumption loans; the right of alienation legalised the transfer of land to the moneylender, who in a short period of time acquired the status of a landlord. Thus, when grain was advanced for seed, interest equal to the quantity borrowed was generally charged, whereas for consumption loans ('khavti') to the tribal, interest in kind, equal to one half of the quantity borrowed was payable at the next harvest (ibid.: 115). The cycle led to the transformation of the tribal into a tenant, since the lands were not as fertile as the rice growing coastal lands, being largely uplands where pulses and coarse grain could be grown; thus the meagre produce from the land had to feed not only the tribal family but also pay the revenue to repay the loan. Land pledges by Varlis and other tribals were thus common.

Land alienations were, however, not the only form through which tenancy was created. The larger landholding ryots usually let out their lands to tribals, who cultivated it on the payment of a fixed rent. Many became tenants of Brahmin landholders under the 'ardheli' system. Thus 'a landholder allows a Varli to till the land, the owner paying the government assessment, contributing one-half the seed required and one bullock for the plough, and at harvest time, receiving as rent one half the gross produce' (ibid.: 184).

The transformation of the tribal from his place in a natural economy to a regularised colonial economy, from the practice of shifting cultivation purely for consumption purposes where cash needs were negligible if not nil and where obligations to an authority higher than the tribal elders (panchayat) was absent to a regular mode of cultivation where proprietory rights were alienable and cognisable by law, where monetisation marked the whole process of circulation or commodities, where payment of revenue in cash was mandatory, represented a telescopic, almost supra historical leap for the tribal. The process itself undercut the possibility of the tribal turning into an independent peasant proprietor. The absence of any institutional infrastructural facilities like credit, markets, protection against alienation and lack of education rendered the tribal an easy prey to the exploitation by the moneylender and landlord. Exploitation was possible only in the measure that the tribals were totally subsumed, turned into a tenant, totally dependent on the moneylender, thus recognising in fact the domination of the latter.[2]

The process of land transfer and sub-infeudation was aided by the commercialisation of agriculture that took place all over the Presidency. In Thane district, this implied an increase in the value of rice as a commercial crop outside Thane, and growing importance of grass as a cash crop. One of the principal advantages of growing grass is that it requires little attention or capital. Its importance

stemmed largely from the growth of the dairy business consequent on the demand for milk in the growing towns both in the district and in Bombay.

Thus the period 1863–90 saw a rapid increase in the cultivable area under rice and grass. For instance, between the years 1860–90, about 1,500–1,600 acres of dry crop land were converted into rice lands, in the Mahim taluka of the district (SR-Mahim 1900: 124).[3] In the Shahapur taluka, 2,295 acres of 'varkas' were converted into rice growing lands (SR-Shahapur 1899: 88).[4] The introduction of the first railway line from Bombay city to Thane town in 1856, and its subsequent expansion also provided the impetus for further commercialisation and increase in the value of both rice and grass.

SHARE OF SPOILS

This commercialisation and increase in the area under cash crops provided a justification for the British authorities to increase the revenue by mid-1890s when 30 years had lapsed since the original settlement in 1863. As the Secretary of State put it in his report to the Governor of Bombay, grass and hay constituted a 'new and valuable agricultural asset which was hardly in existence at the time of the original settlement' in Mahim, Panvel and Kalyan (SR-Mahim: 142). Debates ensued with the result that the increase in the rates and the limits of enhancement was fixed at 33 per cent (ibid.: 126).

To assess the value of the lands and the impact of the new rates, the authorities undertook enquiries into the question of landholdings and transfers. Their findings considerably dampened their enthusiasm for an increase in the rates. As the Commissioner for the Northern Division puts it: ' ... one regrettable feature of the economic condition of the taluka (Mahim) ... is the increase in indebtedness and transfer of lands from the cultivating to the moneylending classes, especially so amongst the Varlis. Regarding these peoples, the District Deputy Collector, Mr Patwardhan, has reported that out of 654 occupancies registered in their names not less than 254 have been transferred in the revenue records to the names of the moneylending classes'. The character of the lands thus transferred, and of which the 'Varlis and other primitive tribes indeed are principal owners' was dry crop lands or varkas lands, the assessment of which was very low. The easy rates of assessment attracted the moneyed from outside with the result that 'large areas belonging to the poor and illiterate members of the cultivating classes many of whom consist of Varlis and other primitive tribes, have been bought by the white robed classes at a price most remunerative to the purchaser' (ibid.: 125, 138).

In the case of Shahapur taluka the Collector of Thane pointed out in his letter to the Commissioner of the Northern Division: 'I doubt that the people of the taluka are generally in a better position than they were 30 years ago.... Mr Orr in his Forest Settlement Report of the taluka, reviewed by the Government in their resolution, came to similar conclusions and the Government *in* their resolution remarked as follows: "A very large proportion of the land has passed to rack-renting moneylenders and the cultivator gets less than one half of the produce"' (SR-Shahapur 1899: 78)

In the Mahim taluka, the Assistant Settlement Officer noted 'a considerable amount of land is held by well-to-do people who have their headquarters at places like Kalva, Mahim, Tarapur, and Manor and let their lands out on *makta* to Kolis and Varlis. This is especially noticeable in the north-east of the taluka' (SR-Mahim 1900: 12).

For the district as a whole it was noted *in* 1880 that there were some nine Khatedars who held more than 1,000 acres each, 32 Khatedars who had between 500 and 1,000 acres each, and 1,014 Khatedars with more than 100 acres each. Many of the bigger landowners were non-agriculturists with headquarters in the towns and they rented out their lands (see Table 3.1).

TABLE 3.1: Distribution of Khatedars in Thane District (1878–79)

Size of landholding (acres)	No. of Khatedars
Upto 5	52,678
5–10	13,602
10–20	11,982
20–50	9,057
50–100	2,335
100–200	722
200–500	292
500–1000	32
Above 1000	9
Total	90,709
Average size of holding (acres)	11.5

Source: Gazetteer of Bombay Presidency, Thane District, 1882.

The process of land alienation and increasing tenancy, and the high rentals on varkas lands did not however deter the British authorities from raising the rates of assessment. As a matter of fact, the process was seen not as a problem to be solved in favour of the tribals and others who were losing land but as the justification for raising the rates of assessment. As the commissioner for Shahapur put it, it was precisely the high rentals demanded by superior holders of their tenants at will that provided ample justification for the fact that 'government are entitled to share in the increased prosperity', and, therefore, 'an enhancement of the present assessment is justified' (SR-Shahapur 1899: p. 15).[5] The Survey Commissioner and Director of Land Records and Agriculture in his recommendation to the Secretary and Government suggested that 'the main basis for the increase in rates is not the improvement in the life of the people only, but the more or less tentative imposition of original rates. If what the Acting Collector says is correct and people are rack-rented by the village

usurers and others, it would appear that the original rates were so low as to leave room for oppressive sub-leases. That means that the lessors are getting too much of the produce of the soil and that the Government should get more' (SR-Shahapur 1899: 83).

Some opposition to the logic of this argument came from an official who noted that Hudson, the official in charge of revision survey, was dealing only with the coast and railway villages. 'Had he collected similar data for the eastern villages, he would have probably found a greater percentage of profit to the lessor, which by no means meant that the land was assessed much below its value, but that the lessee (in any case the registered occupant) was compelled to pay an exorbitant rent to his sowcar irrespective of the assessment on the land' (SR-Mahim 1900: 134).

Such occasional glimpses into the reality of the situation were however not to stand in the way of the logic of colonialism. The British colonial government viewed the whole problem in terms of its own need to acquire and centralise around itself the growing surplus extracted from the peasant. The overriding concern was not on the plight of the tribals whose lands were being taken away but the moneylender/landlord who was the principal beneficiary in the whole process. As the Superintendent, Konkan Revenue Survey, wrote to his chief in Bombay: 'The low rating of the villages in the north-east part of the taluka at the original settlement was probably due to the country in that part being more malarious and land cultivated and owned about that time by the wilder tribes of Kolis and Varlis; but in view of the facts reported by the Collector and sent to you with my letter ... the lands have passed into the hands of the wealthier classes, the reason for assessing these lands abnormally low at Rs 2–3 per acre does not exist' (ibid.: 85). This then, principally, provided the justification for the increased rates of assessment, notwithstanding the belated observation that the 'Governor in, Council admits that the backward conditions and inaccessibility of many parts of the taluka, and of the whole of Mokhada Petha, necessitate the most scrupulous moderation of assessment' (SR-Shahapur 1899: 88).

Political Economy of Forests

The process of peasantisation of the tribals and the simultaneous subsumption into a tribute paying formation was accompanied by a process of depriving the tribals of the alternate means of livelihood—forest produce. Increasingly, the practice of carting forest produce for sale to the towns and village markets came into conflict with the needs of British colonialism. The demand for timber began to increase with the growth of towns and railways.

Specifically the contradiction manifested itself in terms of the traditional right of the tribal to the forest produce (including the rights of non-tribal villages staying near forests to communal forest lands for grazing purposes), a right that had led to the popular notion that the Adivasis were 'Dongarache Raja, Jungalache Raja' (King of Jungle), and the newly acquired power of the British to appropriate the wealth of the forest for distribution as they pleased.

On the face of it, the crisis was put in terms of conservancy *vis-a-vis* wasteful use. The principal reason for the institution of the Bombay Forest Commission in 1885 was to 'secure the efficient management of forests believing that the conservancy of forest and the maintenance of the Crown is beneficial to the interests of the people in providing a continuous supply of timber' (BFC 1887: 10). In a sense, the Commission and its recommendations can be seen as a logical culmination of the struggle between the local bureaucracy to curb the rights of the tribals and the latter's reaction to them.

Prior to the British rule, there were no 'record of practice of former governments with respect to preservation of timber in the Konkan district'. Some restrictions were imposed on cutting valuable timber. But 'the inhabitants were allowed to obtain all the produce they required for domestic and agricultural purposes from public forests without let or hindrance' (ibid.: 20–21).

In the first few decades of British rule, specifically till 1839, a tax on timber was levied and collected by the Land Customs Department. In 1841, the first prohibitory order for cutting trees was issued by the Collector of Thane on the ground that the forests were being exhausted due to irregular exploitation, and reckless cutting from 'Government forests'. The prohibitory order was amended in 1845–46 when a timber reserve was demarcated and assigned to each village proportional to the size of the village.

The main source of revenue for the British at this time was collections under the jungle fee system. One of the harmful effects of this system was the indiscriminate felling of trees, once the fee had been paid, by contractors from outside the district who often employed local labourers to fell trees. The influx of outsiders irked the local trading class such that in 1851 some merchants of Sanjan taluka (later named Dahanu) shipped about 300 Varlis to Bombay and gathered them on the steps of the Council Hall in order to coerce the Government into a repeal of the jungle fee scheme. Tensions built up to the extent that when a Forest Conservancy official toured Sanjan in 1852 in order to make a final settlement he was surrounded by some thousands of Varlis, 'all of them in the same object and little disposed to stop short even of personal violence' (ibid.: 26).

In 1860–67, largely as a result of local pressure, the jungle-fee scheme was abolished, but 'owing to growing scarcity of timber and extensive demand for wood of all descriptions for buildings and railways', strict conservancy was introduced, a measure to be enforced by the newly created local Forest Department, which also undertook the responsibility of felling trees. In 1863, a committee of revenue and forest officers was appointed to inquire into the report on the rights of the tribals and others to the forest produce in Thane. The Committee came to the conclusion that there were no private rights that any section of the population enjoyed, but that certain privileges could be granted (QJ vol. 19 nos 1–2 1896: 17). The exact character of privileges was not spelt out, thereby leaving them to the discretion of the local Forest and Revenue Officer.

Side by side the enforcement of conservation created its own dialectic. Traditional practices of felling trees by tribals and non-tribals were curbed; and as numerous

petitions to the Government put it, large areas of old free pasture land were wrongly included in the forest limits. Arbitrary action was taken by the local Forest Department and Commissioner and the judiciary; on the slightest pretext of breaking conservancy rules heavy fines were imposed. In 1882, for instance, the annual Conference of Forest Commissioners in Thane declared that the ryots had no claim to forest produce or any rights therein, and when the tribals exercising their traditional rights continued to claim forest produce, they were prosecuted under the Forest Act and sentenced before any settlement had taken place (QJ vol. 10 1887: 47–49).

The participation of the judiciary was clear when the local District Magistrate of Thane directed the local subordinate magistrates with a written order that on conviction for a forest offence the accused was not to be furnished with copies of the findings, even if he demanded. The grounds stated for such an order were that 'there was no provision in the Act or in the High Court circular orders to the effect that such copies should be given to the accused' (ibid.: 50). The High Court intervened in its extraordinary jurisdiction, consequent on the petition by various associations formed for the purposes, and quashed all the proceedings of the lower courts as illegal. But this did not deter the local magistracy and forest officials who substituted in place of the Forest Act, executive and departmental action under the Land Revenue Code.

Reaction to the highhandedness of the authorities reached its high point when in 1885 a small brochure known as the 'Red Pamphlet' (owing to its blood red cover) was anonymously published in Bombay. It received wide popularity and was distributed all over the district, describing forcefully the straits to which 'the cruel grasping and relentless forest policy of Mr Shuttleworth, the Conservator of Forests, W. Circle, had reduced the Thane ryot' (ibid.: 1–2). The pamphlet was well timed since it followed a memorial submitted by the Thane Forest Association in 1884 which highlighted the grievances of forest villages in Thane. The debate caused by these two pamphlets and the various petitions submitted over the preceding years prompted the government to appoint the Forest Commission in 1885.

The most significant recommendation of the Commission centred around the privileges of forest produce for tribals. It came to the conclusion that 'the wild tribes' must be granted the right 'to take free of charge from the forests headloads of firewood and unreserved and unfarmed minor forest produce, including—*Karvi* for sale or barter', in order to 'enable the classes who are dependent on the forests to earn a sufficient living and to prevent their becoming a source of anxiety in the future' (BFC vol. 1 1887: 126).

Opinion amongst forest officials giving evidence before the Commission varied. Even as some of them, including Gibson, the Chief Conservator of Forests, strongly advocated the granting of privileges, others like Williams, the Divisional Forest Officer of Thane, voicing the sentiments and views of most of the local Forest Officers, advanced a case for the withdrawal of all privileges to the 'wild tribes'. Ten years later, the tribals and other ryots of Thane were to face the weight if the latter argument when the Collector would use precisely the same reasons for the actual withdrawal of the privileges temporarily granted.

Most of the recommendations of the Forest Commission were in fact not accepted. The most telling blow was delivered with the institution of the 'coupe' system not long after the Forest Commission's submission of its findings and recommendations. Introduced into Thane under the superintendence of Millet, the Working Plan Officer of the Northern Division, the coupe system not only vindicated the assertions of the local Forest Officers, but marked the more or less complete control of the British over the forest and its produce. Under this system, forest of each taluka or mahal was divided into blocks varying in number and size. It was calculated that a forest attains full growth in 40 years; so each block was subdivided into 40 compartments or coupes, one of which was to be cut every year in rotation; so that by the time all had had their turn, the first was ready for another cutting. In this way, it was hoped that the block was never entirely denuded. The coupes were nearly equal, an area of about 50 acres on an average, while a block comprised about 2,000 acres. After the demarcation, each coupe was auctioned off to the highest bidder in the month of August. Cutting was allowed from 1 September till 1 May the following year, by which time the coupe was closed for ten years, and no one was allowed to except by permission (QJ vol. 19 1896: 19).

In July 1896, the Collector of Thane, R. E. Candy, issued a notification withdrawing all forest privileges. The reasons given were that the privileges were abused with the result that state forests were suffering losses. And as the Collector put it in the notification, in any case the coupe system was working well enough, for the tribals to get employment in. Anyone breaking the prohibitory order would suffer punishment of jail for six months and fines up to Rs 500 or both (PCB 1896: 177–78).

Reaction to the notification took place at three levels. At the local level, a Shetkari Sabha was formed and a deputation of Varlis, Katkaris and other forest tribes numbering 2,000 persons marched upon the District Collector, demanding removal of the notification. When the petition and the deputation were refused a hearing, there was considerable tension. A few days later Varlis and Katkaris went on riots in Dahanu and Bassein. Matters reached a head when the Collector, issued yet another notification threatening to fire upon any assembly gathered for purposes of demonstration (QJ vol. 19 1896: 33).

Yet at another level, the liberal Poona Sarvajanik Sabha took up the issue in its Quarterly Journal. In its July–Oct. 1896 issue it said: 'No branch of administration is so tyrannical as the Forest Department. Not content with appropriating thousands of private holdings by including them in state forests the department is continuously encroaching upon the rights of the people most of which are absolutely necessary for their subsistence or beneficial enjoyment of their property' (ibid.: 14). While accepting the coupe system, the Sarvajanik Sabha's principal argument remained one of accommodation. It posed the question of justice when it suggested that till the coupes had not been completely marked and distributed, privileges should continue. As for the argument in the notification that the coupes provided employment for wild tribes, the Sarvajanik Sabha suggested that small as the number of existing coupes was, the number that such coupes could employ was still smaller. This was

so since in actual practice cutting operations began in September and was over by November and by December the material was stacked in the depots. Secondly, estimates showed that roughly 40–45 people were enough to work the coupes and even so, there was no guarantee that all were tribals, even though the Forest

Commission had suggested that they should be given the monopoly in this kind of work. Besides, the collection of deadwood from the coupes by the tribals was dependent to a large degree on the whims and fancies of the contractors. The result was that not only were the tribals deprived of all privileges, but were left dependent for their employment on the forest contractor.

The attitude of the government at Bombay was clear from the reaction of yet another section of the intelligentsia. In answer to a question raised by I. U. Yajnik in the Bombay Council on 12 October 1896, the government replied that although it was aware of newspaper reports on the matter, nothing had reached the ears of government through the official channels.

Although it would seem then that the government was unwilling to discuss the question raised in the Council, in fact the agitations in Thane and the propaganda by the Poona Sarvajanik Sabha had alarmed it enough to issue an order suspending Candy's notification, temporarily.

There are strong motives compelling the government to rescind the notification. For one, the agitation of the Varlis received an impetus by an accompanying agitation against the forced extraction of the land revenue in a famine-stricken year. Indian opinion in the Governors' Council pointed out that forced extraction of land revenue on threat of confiscation of lands was a common feature in the Umbergaon Petha of Dahanu taluka. This was contrary to the Famine Code which allowed a remission of the revenue in times of famine. The agitation was nothing more than the distribution of a handbill outlining, in the vernacular, the contents of the Famine Code and some government resolutions dealing with relief works, tagai advances, etc. Three persons from Umbergaon were arrested for distributing these pamphlets, their arrest being an indication of the alarm caused by the widespread popularity that the pamphlet received. among the rayats. On examining the handbill, however, the local magistrate ordered their release (PCB 1896: 41, 45–46).

The year (1896) being a famine year, Sabha activists had toured various parts of Bombay Presidency to evaluate the magnitude of the famine and the effects on the peasant. As their activists from Dahanu and Umbergaon reported, the forest tribals had been most badly hit by the famine conditions. Of the three principal crops in Dahanu taluka—Kharif, Varkas and Rabi—the last two on which nearly 40,000 people depended had failed that year; to add to their problems, the collector's notification had prohibited the carting and sale of deadwood. As the activists put it, near starvation conditions prevailed (QJ vol. no. missing 1897: 50–53).

DISPOSSESSION OF TRIBAL PEASANTS

Although the government had agreed temporarily to allow the tribals the privileges earlier granted, the trend was clear. On the one hand, and increasingly so, the tribals

would have to seek employment with the coupe if he was to have anything to do with forest produce. On the other hand, the closure of forests left the tribal with no other choice but to 'peasantise' himself; in effect this meant his transformation into a tenant. That this led to the alienation of his lands was one of the principal reasons for the introduction of the impartible tenure for tribals in 1906. According to the government resolution passed that year, plots of woodland were to be given to the tribals (and any other who wished it) on a non-alienable tenure. But the process of domination of the tribals *via* a tribute paying formation had already entrenched itself, and any government legislation at this stage hardly made any difference to its further intensification and perpetuation.

The situation caused sufficient alarm for J. D. Atkins, Commissioner for the Northern Division; 'Another matter worth noting is the large extent to which land has passed and is passing into the hands of non-agriculturist classes in the Thane district, and the small extent to which, except in the remote forest sub-divisions of Vada and Mokhada agriculturists are found to be in possession of land which is their own' (LRAR part II 1903–4: 33). In 1913–14 it was noted that in 'Surat and Thane, numerous instances came to notice in which a poor cultivator was put up by a sowkar to obtain land cheap ...' (LRAR 1913–14: 53). Of the various districts in the Northern division, the area held by non-agriculturists was the largest in Thane district (about 40 per cent) by 1913–14 (see Table 3. 2).

TABLE 3.2: Land Held by Agriculturists and Non-Agriculturists in Northern Division of Bombay Presidency (1913–14)
(Acre)

District	Agriculturists	Non-Agriculturists	Total	Percentage of Land Held by Non-Agriculturists in the Total Area
Ahmedabad	517,578	213,791	731,369	29.2
Kaira	550,559	152,047	702,606	21.6
Panch Mahal	265,423	52,574	317,997	16.5
Broach	465,972	124,807	590,779	21.1
Surat	571,840	155.420	727,260	21.4
Thana	595,917	414,868	1,010,785	41.0

Source: Land Revenue Administration Report of the Bombay Presidency, including Sind, for the year 1913–14.

WAR AND AFTER

The last year of the First World War, 1917–18 was particularly bad. The mobilisation of agricultural produce for war needs had created not only a general scarcity, but a profitable situation for the traders and merchants who capitalising on the situation compounded the scarcity by hoarding and thus (raising prices of essential commodities. 'The prices of foodstuffs which were already considerably above

normal rose still further slowly up to April, after when they went up by leaps and bounds. The importation of rice from Bombay (into a rice growing area!) under the controller of prices checked the rise in price of rice for a while only.... The price of salt has doubled and attempts to bring it under control did not meet with success. The rates of grass have risen considerably.... The local aristocracy, the businessmen, the contractors and the salt, timber and grass merchants have made considerable profits. Cultivators have received better prices for their crops and where they own their own land have not done badly' (ibid.: 13, 17–18, 33).

The latter was a moot point. Who was the cultivator owning land and what proportion of the agricultural population did he constitute? Apart from this, it is possible that the 'ownership' of land was seen purely as a legal phrase. Considering the fact that earlier reports had mentioned the widespread influence of usury capital, it is possible to conjecture that even the 'legal' owners were in effect tenants, inasmuch as a large portion of their produce was syphoned off by the sowkar by way of debt redemption.

Table 3.3 gives a vivid picture of the proportion of 'owner' of land in 1921. The increasing land concentration in favour of the landlords had its repercussion on the payment of revenue itself. As it so transpired, it was largely the landlords who constituted the principal defaulters in payment of revenue. Thus in 1922–23, out of 915 cases of penalty under Section 148 of Land Revenue Code in the whole Northern division, Kaira and Thane were responsible for 119 and 483 cases respectively. 'In Thane this measure had to be resorted to as a warning to absentee landlords to pay dues in time' (LRAR 1922–23: 31). The situation took a turn for the worse by 1925–26 when out of 1,316 cases of penalty, Thane was responsible for 1,017, most of which were found to be necessary as a warning again to absentee landlords (LRAR 1925–26: 32). In 1931–36 the number of cases had increased to 1,576 out of which Thane was responsible for 930, out of which in 13 cases lands were forfeited (LRAR 1931–32: 75).

TABLE 3.3: Distribution of Agricultural Population in Thane District (1921)

Livelihood Class	Total Workers and Dependents	Workers	
		Male	Female
Rent receiving landowners	13,028	3,905	1,768
Cultivating Owners	126,663	42,225	31,420
Cultivating tenants	170,729	58,778	43,629
Unclassified Cultivators	106,487	19,816	17,654
Farm servants and field labourers	153,202	53,818	50,552
Of these, indentured labour	3	2	—

Source: Census of India, vol. VIII, Bombay Presidency, part II, 1921.

That the increasing number of de-faulters of revenue in Thane were absentee landlords does not point to their inability to pay. As a matter of fact, the share

appropriated by the landlords by way of rent from the tenants constituted the major portion of the peasant's produce.

In 1938, an official had this to say: 'An average rent approximately works out between slightly over one-third and slightly under one-half of the produce of the land.... In any case I find that the rentals are now too high and it is certain that they do not leave the cultivator sufficient for his livelihood even for half the year.... Rentals which do not leave enough for the maintenance of the tenants are extortionate' (Parulekar 1967: 13).

Quite apart from the fact that rack-renting keeps the total produce of the peasant at a deficit level, its significance lies in the fact that a particular stage of development of society and under certain given historical conditions, it constitutes the principal and determining form of surplus appropriation by the dominant classes. In turn it defines, by its principality, the character of the classes involved in the relations of production, and their place in the production process itself. If this is so, then the reproduction of this system represents the attempts by the landlords to subsume the tenants directly under his dominance. The rack-renting that was described earlier can perhaps be viewed then as one of the aspects of the subsumption process. But rack-renting, though it may even appropriate three-fourths of the produce, does not in itself suffice to subsume the tenants. In order to ensure the reproduction of the landlords' position, it is necessary to create those conditions of existence that would simultaneously ensure and accelerate the process of tribal subsumption. In the main these conditions assumed coercive forms in Thane, carrying within them both the threat and use of violence and assault.

Forced Labour

Forced labour ('Veth begar') assumed two forms. Varlis often had to borrow either grain or cash and in the bargain they pledged their labour for a term, which often developed into lifelong servitude. As a result of life-long servitude, say, on account of marriage expenses borne by the landowner, future generations were also often bonded to serve the landlords. For example, to raise a loan of Rs 40 towards the marriage expenses, the Varli would pledge his labour for a minimum of 10–12 years at a wage rate of Rs 4 per year. If the repayment was in cash, the interest would be compounded which the landowner/sowkar often enforced in courts; the rules about excessive rates of interest were all too easily evaded. Under this system, the tribal (called 'lagna-gadi', marriage slave) remained bonded (Gazetteer of the Bombay Presidency 1882: 184 ff). By 1903–04 there was 'hardly a khatedar paying as much as Rs 50 assessment who has not five or six servants. They are, of course, mostly Kolis and Varlis. Very frequently they bind themselves for life' (LRAR part II 1903–04: 3).

Who were the landowners to whom the Varlis had bonded their labour? Some of the Parsi, Marwari, Bania and Brahmin moneylender-landlords had turned agriculturists. Many more, however, only supervised the 'agricultural operations which are carried out by the original owners who have now been reduced to the

condition of permanent servants or a kind of serf' (ibid.: 34–35 emphasis in original). 'A large number of the tribe who once owned land has parted with them in favour of the Sahukar class, whose tenants they continue to be. A large majority of them are servants, often servants of some rich moneylenders or Kunbis, to whom they have pledged their labour or have had their labour pledged by their fathers for 12–15 years in consideration of having marriage expenses paid' (OHB State Committee 1930: 6–7).

The above quotations suggest that alongside tenancy the sowkar-landlords also undertook cultivation by a 'feudally subjugated forced labour'. Although rent remained the determining form of surplus appropriation, and the landlord-tenant relation the dominant one, yet side by side cultivation with the feudally subjected labour was not uncommon; especially so where landlords undertook cultivation of rice and maintained fruit gardens.

In the 1921 Census, an attempt was made to get at the figures of 'agricultural labourers—for the most part called *halis* who are not employed at their own convenience on wages, but are maintained, usually hereditarily, as permanent estate servants by the larger landlords'. The census returns on this question however showed only two 'indentured labour' for the whole of Thane district (see Table 3.3). The ridiculous census returns led the commissioner to suggest that in Thane 'there are many of these serfs in the coastal region especially to the north; but it would seem that the landlords were sufficiently powerful and enterprising to secure that they should not be returned by designations which in the census office could be classified to this sub-group' (Census part I 1921: 220, 223).

Tenants were forced to work on landlords' fields as and when by the landlord. 'At the critical period of agricultural season when the rain breaks the cultivators are forced to be present on the landlord's fields; work on their own rented fields is postponed and their crops suffer substantial damage.... If they refuse or procrastinate, they are liable to assault or beatings. These are of common occurrence, and are usually carried out by the landlords' local agents. I was told, on creditable authority, of men being tied up to posts and whipped. There are also rumours of men in the past having been killed' (Parulekar 1967: 8).

Quite apart from the force and violence used on the tenants as a class, individualised and personal violence perpetuated by the landlords was not uncommon. For instance, it was a common feature for Varlis to shave off their heads except for a tuft of hair which they grew rather long. Landlords often beat the tribal tenant or serf by holding him by this tuft of hair. 'A certain landlord wished to alter the boundary between his land and a tenant's. His intention was to encroach on the tenant's land in order to extend his own. The peasant would not submit to this. So the landlord called him to his house, tied his long hair to his toe and whipped the doubled up Varli on the back. This form of torture always brought about a quick surrender ... the poor peasant in this case also yielded. 'That's better', said the landlord. 'The next time you decide to disagree with me, I'll take your life' (G. Parulekar 1975: 47).

Personalised violence for the purpose of maintaining the domination of a class works best when it is inflicted on the women of the dominated class. 'The Varli

women were not spared from torture either ... the landlords considered their tenants' wives and the wives of their debt slaves to be their own personal property. They firmly believed that they had the hereditary right to enjoy these women whenever it pleased them so' (ibid.). So common were the violations of the women that a special name was given to their progeny. They were called 'watlas', a special caste.

One unique instance of coercion was liquor. 'All the toddy shopkeepers in the forest area earn their living by selling toddy to Varli and other forest tribes.... Taking advantage of their passion for toddy drinking, landlords even got to the extent of encouraging them to borrow money for drinking purposes. They naturally prefer their tenants to be always involved in heavy debts from which they cannot be redeemed in their life time. Landlords ... take utmost advantage of the Varlis' fondness for toddy by exacting labour from them by offering a gallon or two of toddy worth only 4 annas in exchange for labour which would have cost them a rupee' (Save: 231–32).

There were two agencies through which the landlords and moneylenders ensured the reproduction of these forms of coercion. There were firstly, the local government offices, and secondly, the privately employed foreman, Bhaiya and others. From among the government officers, 'the middle rung officers like the mamlatdar, the circle inspectors, the Talathi, the police inspector and officers of the forest department, were always honoured guests in the houses and bungalows of the landlords' (G. Parulekar 1975: 54).

Table 3.4 presents land distribution in Thane in 1936–37, and brings out the concentration in the hands of the landlords.

TABLE 3.4: Landholdings in Thane District by Size Class, 1936–37

Size Class of Landholding (in acres)	Class A No. of Holders	Area Held	Class B No. of Holders	Area Held	Class C No. of Holders	Area Held
Upto 5	51326	98439	834	1676	7253	14825
5–15	10686	94021	521	3464	2839	26098
15–25	3687	60230	216	3878	1164	23169
25–100	3302	113642	595	14992	1996	88275
100–500	370	32487	260	27243	751	162060
500 +	5	4238	32	32329	101	97738
Total	69376	403057	2458	83582	14104	412165

Notes: Class A: Those who cultivate themselves.
Class B: Those cultivate with hired labour.
Class C: Those who do not cultivate and receive rent in kind or cash.
Sources: Land Revenue Administration Report of the Bombay Presidency, 1936–37, p. 106.

It will be noticed that as the landholding size increases the proportion of land held by the rent receivers increases. Thus in the size groups of 100 acres onwards, the class of rent receivers held more than 70 per cent of the land.

Even where the tribals did possess land, the size of holdings was small. K. J. Save, while studying the Varlis, rarely came across a Varli landlord, except for two. Of

them, one was a drunkard, an old man of 60 years; he had leased out some land to fellow Varlis; a good deal, however, was mortgaged to the sowkar. And in spite of his being a landlord, the women in his family worked as casual labourers at the neighbouring sowkar's lands (Save: 212). Of those who had lands, Save found that many were the woodlands or gurcharan plots given to them by government under the impartible tenure and woodland scheme introduced, in 1901. But the scheme had not worked well and not many Varlis were enthusiastic for such plots.[6] This was so, according to Save, because not only were the tribals ignorant as to the procedure involved in acquiring them, but more often than not, the landlords through their agents or the talathis of the villages would create difficulties in the way of those people acquiring these plots.

In short, in Thane, there grew a social formation, which was an ensemble of various articulated levels. Principally and determining instance was exploitation through ground rent; side by side the cultivation of rice and fruit gardens through a feudally subjugated forced labour. If subsumption of the tenant in a rent paying formation through various coercive forms was a necessary condition for the reproduction of ground rent as a form of exploitation, the monopoly over land and credit were the sufficient conditions. The acquisition of monopoly of land implied its increasing concentration, and in turn the reproduction of the whole formation at a more oppressive level.

FORMS OF TRIBAL RESISTANCE

It has often been suggested that the tribals remained mute, helpless before and in the culture of repression. Surprisingly even the veteran Kisan Sabha leader, G. Parulekar, suggests that 'the whole community lived a dead life ... illiterate, *helpless* creatures ... did not know that they had a right to live as human beings. Self-respect was unknown to them' (G. Parulekar 1975: 58).

It is difficult to conceive that any people, under any circumstance, could allow themselves to live a dead life, helplessly and most of all lose self-respect. Indeed one can believe that under any circumstance, man always resists the pressures on him only in order to retain a modicum of self-respect. Sociologically, this implies that the conservation and reproduction of existing relations of production and exploitation by the dominant class is sanctioned by various instances and at various structural levels—economic, political and ideological; so, dialectically, will the exploited class through multiple instances oppose their total subsumption both at the material and ideological level. Both sides of the phenomena and the instances and levels represented therein are placed in the field of class struggle.

In this light, then, the evaluation of tribal reaction to the culture of repression must begin much earlier than the emergence of the peasant organisation (the Kisan Sabha) in 1945. The formation of the Kisan Sabha represents a critical transformation of an existing consciousness that was in essence antagonistic to the dominant classes.

To begin with, one of the most primitive form of this consciousness was to counter-attack with the same, if not greater, physical violence, either individually or

in gangs. But individual attacks on landlords were by and large few. In one case, in the village of Kochai, Dahanu taluka, a particularly brutal landlord called Cochaiwalla was murdered along with his leading henchmen by a few tribals. The leading tribal was branded a criminal and sentenced to seven years rigorous imprisonment.

A more common form of rebellion was to flee. This was common amongst the Kathkaris who mostly worked in the forests as labourers for the unscrupulous forest coupe, contractors. Quite a few Varlis who worked with the contractors fled to avoid any more oppression. But the penalty if caught, and more often than not they were, was terrible and inhuman. Recalcitrant Kathkaris were caught and often burned alive in the presence of family and friends as lessons for future recalcitrant and stubborn Kathkaris (Phadke 1931: 25).

> A Varli loathes steady work. From time immemorial they had to work very little and the result of this is that laziness has been the trait of the tribe. He does not take pains during the summer either to level his field or to construct proper bunds for the same. Many a Varli does not possess his own bullocks. The quality of the seed is not fine, the fields are not properly ploughed. All these factors combined to bring a meagre crop to him. He is satisfied with whatever little he gets, which has made him most unambitious and checked his very progress (Save: 203)[62]

Looked at from a critical point of view, once the production relations between landlord and tenant are defined, the laziness of the tribal tenant or labourer may perhaps be seen as a deliberate weapon that is used to preserve, materially one's labour power and, ideologically, one's self-respect. If the converse were true, and the tribals did work harder and became ambitious, the fruits would in any case go to landlord by way of increased rent share or other illegal exactions. As G. Parulekar points out, 'The landlords claimed shares in every single thing that grew on the peasants' land, be it pulses like arhar, urad and beans, etc. If the peasant seemed unwilling to give shares of these, then the landlord demanded more paddy.... If the peasants grew vegetables like gourds, cucumbers and pumpkins on their own lands, they had to give all these to the landlord' (G. Parulekar 1975: 83). Knowing this as a matter of daily 'lived reality the tribal would rather not grow anything than have the produce of his labour appropriated by the landlords. Thus laziness, lack of ambition, etc. In the whole ensemble of class struggle that ensued between the landlord and the tribal tenant/bonded labourer, the attempts at subsuming both the individual and his labour in the given social formation are resisted and challenged by counter-attempts by the exploited class to preserve and repose within itself not the fruits of labour (in which case then the struggle acquires different connotations) but labour itself. In a sense, then, laziness, lack of ambition, unintelligent minds, the lack of desire to improve their lot by having lands of their own, represent aspects and instances of the most elemental form of class struggle. Its elemental character derives from the passive rejection (boycott) of the 'place' that the tribals occupy either as a tenant or a bonded labourer.

If the Kisan Sabha leaders could mobilise the Varlis so rapidly both in terms of time and space, the reasons are not to be found merely in the response to a tangible force (Kisan Sabha) visible to the Varlis, but the transformation of a consciousness

hitherto existent amongst the Varlis—the most degraded of the cultivating tribals—that represented two things. On the one hand, it represented the conscious realisation that the dominant class could no longer appropriate the fruits of its labour; and secondly, that the material weapon through which this consciousness could find reflection in actual practice was the Kisan Sabha. Passive rejection of their place as agents in the given relations of production, they had moved on to the terrain of active transformation of the same given relations of production. If hitherto they had merely preserved their 'self-respect', now they were asserting it.

Notes

1. The territory now included in the Thane district was in 1817 a part of the north Konkan district with headquarters at Thane. In 1869, the sub-collectorate of Kolaba was separated from Thane. The then Thane district included Dahanu, Mahim, Vada, Bassein, Bhiwani, Shahapur, Salsette, Kalyan, Murbad, Panvel and Kafjat talukas. Karjat and Panvel were transferred to Kolaba district in 1880s. In 1920, Salsette taluka was divided into north and south: the southern part was merged with Bombay suburban district and north Salsette was renamed as Thana in 1926. The former state of Jawhar was merged in the Thane district and new Jawhar taluka was found in 1949. The northern part of the Shahapur taluka was separated to form Mokhada Mahal. In 1960, major portions of the Umbergaon taluka which earlier formed part of Dahanu sub-division were transferred to Gujarat state and the remaining part was included in Dahanu taluka and made into/Talasari Mahal in 1961. In 1961 the district comprised 10 talukas and 2 mahals. Subsequently, the mahals were upgraded to taluka status. See 'Gazeteer of the Bombay Presidency: Thane District' (1882), which is the source for many of the details in this account.

2. It was precisely the character of the attempts at subsuming the tribal, into a given form of exploitation that created its own mechanisms of struggle. Tribal revolts in Thane and, more so, in other tribal areas were brutal and violently attacked the moneylender-landlord combine till as late as 1940. The telescopic leap into a rent based social formation violently transgressed on the tribal consciousness that still visualises a golden age of freedom in the recent past, when they were the 'Kings of the Jungle' ('dongarache raja').

3. Selections from the Records of the Bombay Government, New Series, Papers Relating to the Revision Survey Settlement of Bassein and Mahim Talukas, Bombay 1900, p. 124 (Hereinafter SR-Mahim).

4. Selections from the Records. Papers relating to the Revision Survey Settlement of Shahapur Taluka including Mokhada Petta, Bombay, 1899, p. 88 (Hereinafter SR-Shahapur).

5. SR-Shahapur, p. 15. In 1899–1900 it was noted that in Mahim taluka the respective average rates of assessment per acre and the rate for which land was sublet were Rs 1–0–9 and Rs 3–5–4 for kharif 4-varkas lands and Rs 0–2–0 and Rs 1–13–0 for varkas land. The rent was that 3.18 times assessment rate for kharif-4-varkas lands while/it was 14.44 times in the case of varkas lands. See SR-Mahim, p. 46.

6. In 1934, it was recorded that in Thane district as a whole only 58 acres and 12 gunthas were occupied under impartible tenure.

References

Proceedings of the Council of the Governor of Bombay. 1896. 12 October, pp. 41, 45–46, 177–78.

Land Revenue Administration Report of the Bombay Presidency, including Sind, Government of Bombay. 1903–4. Part II. Bombay, p. 33.

'Gazeteer of the Bombay Presidency: Thane District'. 1882.

Government of Bombay. 1921. Census: General Report Bombay. Part I, p. 220, 223.

OHB State Committee. 1930. 'The Problem of the Depressed Classes and Aboriginal Tribes'. Bombay, pp. 6–7.

Parulekar, G. 1975. *Adivasis Revolt: The Story of Warli Peasants in Struggle*. Calcutta: National Book Agency, p. 47.

Parulekar, S. V. 1967. *Revolt of the Varlis*. Bombay: People's Publications House, p. 13.

Phadke, M. V. 1931. 'The Kattikaris'. *Servants of India Society*. Poona, p. 25.

Records of the Bombay Government. 1899. *Papers Relating to the Revision Survey Settlement of Shahapur Taluka including Mokhada Petta*, Bombay, p. 88.

Records of the Bombay Government. 1900. *Papers Relating to the Revision Survey Settlement of Bassein and Mahim Talukas*. New Series. Bombay, p. 124.

Report of the Bombay Forest Commission. 1887. *Quarterly Journal of the Poona Sarvajanik Sabha*. Bombay, p. 10.

Report of the Bombay Forest Commission. 1896. *Quarterly Journal of the Poona Sarvajanik Sabha* 19 (1–2), p. 17.

Save, K. J. *The Warlis*. Bombay: Padma Publications, pp. 231–32.

Section

II

Loss of Land, Loss of Nerve

4

Alienation of Tribal Lands in Tamil Nadu

Panel Data Analysis[*]

E. Selvarajan[†]

Tribal economy has traditionally centred on land and other land based resources. Even today, land continues to be the mainstay of 90 per cent of the tribal population. Thus land is the only tangible productive asset which members of scheduled tribes (STs) possess. The supply of land is virtually inelastic. The use pattern of land has changed drastically in the post-independence era through conversion of agricultural land for other commercial, industrial and domestic uses. On the other hand, some amount of uncultivable and 'poramboke' (waste) lands have been converted into productive lands through various land reclamation measures. Besides, the initiatives of individuals have contributed to this process. This has resulted in the pressure on land spreading to the interior tribal areas, and hence the problem of alienation of tribal land.

There is very little authentic data on the nature and magnitude of the problem at the national or regional levels. The Government of India realised the absence of adequate data on the nature and magnitude of the problem of tribal land alienation, and directed the Tribal Research Centres to conduct a quick survey on this subject. At this juncture, two studies have been carried out, at two points of time, viz, 1989 and 1998. This article is based on these two panels of data and it intends to make a fair assessment of the magnitude of the problem of land alienation in the state of Tamil Nadu. The specific objectives of the studies were to assess the extent of alienation of tribal lands to non-tribals and institutions; to identify the forms of and causes for land alienation; and to examine the adequacy of laws and administrative machinery for preventing alienation of tribal lands and restoration of alienated lands to tribes.

---

* *Economic and Political Weekly* 35 (37), 9–15 September 2000.

I am grateful to R. Elango, who encourages me to work. His comments are invaluable.

† This publication appeared in the *Economic and Political Weekly* in my former name E. Karuppaiyan.

I

BACKGROUND

Land is the only tangible asset of a tribal family, other possessions being meagre at the present stage of their economy. Land also occupies a pivotal place in the tribal psyche. There are a number of social factors and religious rituals connected with land, which establish emotional ties between the tribal and his land. Thus, land is much more than merely a source of livelihood to the tribes. One of the important characteristics of a tribal community is the traditional association with a territory. Initially, the community subsisted on food gathering and hunting in the area under its command. As the pressure of population grew and the community acquired the new skills of agriculture, they cleared the forest and brought land under cultivation. The individual tribal considers himself owner of the land he occupies by virtue of his traditional association and his personal effort in making it cultivable. However, pressure from 'advanced' communities in a variety of forms sometimes forces him to leave his land.

The tribal areas remained for a long time outside the land management systems of the advanced areas because of their inaccessibility. The tribal communities, therefore, developed their own tradition for management of land. The landownership amongst the tribes broadly falls under three categories, viz, community land, land belonging to clan and individual holdings. As the British administration consolidated its position in India, they established three main systems of land revenue and land rights, viz, 'zamindari', 'mahalwari' and 'ryotwari'. Some of the tribal areas also came under one of these new systems depending on the system adopted in the concerned British province.

The position of land records also varied considerably. In some provinces, the tribal areas were also covered by regular settlement operations, while in some provinces and many princely states rough and ready records were prepared based on visual estimates without a detailed survey. In many areas, a system of revenue based on the number of ploughs or family units was introduced on the presumption that in the context of extensive availability of land in the tribal areas this would be a dependable criterion for determining the quantum of land utilised. Nevertheless, the tribes continued to clear lands for agriculture as noted earlier and there was considerable divergence between the records and the actual position in the field. The state of land records ever after the abolition of intermediaries has remained unsatisfactory in tribal areas. After independence when the planners and policy-makers began to pay attention to the tribal areas, the question of ownership and alienation of tribal lands came to the fore in discussions.

The tribal areas of Tamil Nadu can be broadly divided into two major geographical divisions: (1) the eastern coast line, and (2) the mountainous region of the north and west. The average elevation of the eastern ghats is 2,000 ft and the highest peak is 6,000 ft. This range is not continuous in Tamil Nadu. The important hill ranges of Tamil Nadu are the Jawadhi hills and Yeiagiri hills of North Arcot district, the Kalrayan hills of South Arcot, the Pachmalai, Kollimalai and Yercaud

ranges of Salem, the Anamalai of Coimbatore, the Sitteri hills of Dharmapuri and the Palani hills of Madurai.

Table 4.1 details the tribes of Tamil Nadu and their nativity. There are 33 STs in Tamil Nadu. There is considerable ambiguity in regard to ethnic identity of these STs. For instance, there is confusion regarding identity between Kurumbas and Kurumans, Malasar and Mafia Malasar and Muduvan/Mudugar and Muthuvan in the government list of 33 tribes. Besides, there are six endogamous groups which go with the suffix Kurumba. Clear distinction between these groups was not consistently maintained in the enumeration in different censuses making the data non-comparable for some of these groups. Hence correct identification of tribes is still a grey area in research. Malayai is the largest single tribe in the state. A large majority of the STs are very small in terms of their numerical strength. Eight STs have populations less than 100 persons each. The populations of another eight STs

TABLE 4.1: Tribes of Tamil Nadu

District	Tribes
Chengiepet	Polayar, Moopar, Muthuvas, Pallayar, Irulas, Paliyar, Kurumbas
Coimbatore	Sholagas, Irulas
Dharmapuri	Malayalis
Erode	Sholagas, Uralis
Kanyakumari	Kanikar
Madurai	Pallayar, Paliyar, Patlar, Kurumbar, Irulas
Nilgiris	Kurumbas, Bettakurumbas, Muliukurumbas, Palkurumbas, Irulas, Paniyas, Kattunaickens, Kothas, Todas.
North Arcot	Malayalis, Irulas
Pudukottai	Malayalis
Salem	Malayalis, Irulas, Kurumans
South Arcot	Malayalis
Thiruvannamalai	Malayalis
Tiruchirappalli	Malayalis
Tirunelveli	Kanikaran, Kanikkar
Virudunagar	Paliyar

vary between 100 and 500 and four STs vary between 500 to 1,000 persons. The two large tribes in the state are Malayalis and Irulas. These groups are widely scattered over all the districts. Of these, only 6 per cent of the ST population lives in urban areas and the rest live in rural areas particularly in remote hilly and forest areas.

Table 4.2 gives the picture of district-wise tribal population in the state of Tamil Nadu. As per 1981 Census count, STs have a strength of 5.20 lakhs in Tamil Nadu. They constitute 1.07 per cent of the population of the state. A large majority of ST people live in hitherto inaccessible hilly areas mentioned above and only a few are living in the plain areas. These STs are widely distributed over 16 districts in the state. This wide dispersal of ST population in certain districts made it difficult to identify and demarcate contiguous tribal areas as scheduled areas meant for providing special administrative and development inputs. During the 1991 Census, the population increased from 5.20 lakh to 5.75 lakh. Now the tribes are widely

TABLE 4.2: Districtwise Tribal Population in Tamil Nadu

	1981		1991	
	Population	Percentage	Population	Percentage
Chengelpet	46,050	127	57705	1.24
Coimbatore	22,358	0.73	26313	0.75
Dharmapuri	46,074	2.31	47600	1.96
Dindigul	–	–	9507	0.54
Erode	15,191	0.73	19258	0.83
Kanyakumari	6,358	0.45	5281	0.33
Madras	5,373	0.16	8067	0.21
Madurai	13,646	0.30	12764	0.37
Nilgris	20874	3.31	25071	3.53
North Arcot	93690	2.12	49936	1.65
P M Thevar	–	–	1186	0.11
Pudukkottai	1516	0.13	796	0.06
Ramanathapuram	6617	0.20	1602	0.14
Salem	122444	3.56	135984	3.49
South Arcot	53775	1.28	58053	1.19
Thanjavur	6012	0.15	9969	0.22
Thiruvannamalai	–	–	62924	3.04
Thiuchirappalii	48294	1.34	28139	0.68
Tirunelveli	11954	0.33	9007	0.26
Tuticorin	–	–	3203	0.22
Virudhunagar	–	–	2974	0.19
Total	520226	1.07	575339	1.05

Note: The percentage is to the total population of the state.
Source: Census of India, 1991.

dispersed in 21 districts. Some of the districts have been bifurcated and trifurcated for better administration, hence the number of districts where tribals are found increased from 16 to 21.

Source of Data

This article is based on the two panels of data, one collected by the Tribal Research Centre, Udagamandalam, Tamil Nadu during 1989 (Study I) and the other by the NGO, ACCORD and Adivasi Munnetra Sangam, Nilgiris, Tamil Nadu during 1998 (Study II). The latter study was co-ordinated by the Indian Social Institute, New Delhi. Both the studies have been carried out on the direction of Government of India. The second report submitted by the NGO is subject to revision. In the presentation of results they had not followed uniformity and comparability of data at different levels. The report has to be revised to meet the objectives of the study. If they revise the report and modify the presentation of tables and other format, the end results will not be disturbed. Hence, the data gathered from 3,341 sample households has been used to assess the situation of alienation of tribal lands in Tamil Nadu.

Study I was carried out in pursuance of the directives of the 'Group of Ministers'. The department of rural development undertook the studies to make field level sample surveys to assess the magnitude of land alienation in 12 states of the country. The Department of Rural Development in consultation with tribal research centres and some universities prepared a detailed schedule for collecting comprehensive information from the tribal households on various aspects of tribal land alienation. The village schedule prepared for collecting important information on demographic data regarding the social and economic status of the tribes surveyed in the studies. The objective of consultation was to bring about, to the extent possible, some modicum of methodological uniformity in gathering field information and for comparability of the data thrown up by these studies. This effort, however, did not succeed. Some of the studies have adopted a methodology different from the one suggested to all the institutions concerned. Hence, the studies in such states would not throw adequate light on the basic questions raised by the 'Group of Ministers'. Unfortunately, the studies have concentrated more on methods, techniques and process of alienation of tribal land than on assessing its magnitudes.

In Study I, the sample design was framed on the basis of concentration of tribal population in Tamil Nadu numbering 5.20 lakhs (1981 Census), dispersed in 16 districts in the state. The study was based on the assumption that large-scale exploitation of tribal people and alienation of tribal lands to non-tribal people takes place when both the tribes and non-tribes are living together or in the neighbourhood. Based on census data, tribal habitats in Tamil Nadu can be broadly divided into three zones: (1) tribal concentration zones; (2) dispersed tribal zones; and (3) primitive tribal zones. Sixteen revenue villages consisting of 102 hamlets had been selected from seven districts in the state. A total of 2,631 tribal households were covered from the sample villages. Although no separate sample

was taken for different tribal groups, the selected revenue villages gave us adequate representation for nine major tribes found in Tamil Nadu, viz, Malayali, Irula, Toda, Kota, Mullukurumba, Kattunayaka, Bettakurumba, Paniya and Sholaga. Three types of schedules were prepared for collecting data. The three schedules were (1) household schedule meant for collecting data from all the tribal households; (2) village schedule for collecting data about the village from the village officer; and (2) a special schedule for collecting data from tribes displaced from their homes in the wake of implementation of development programmes.

Study II was carried out by an NGO of Nilgiri district (ACCORD and Adivasi Munnetra Sangam). The co-ordinators organised a meeting of tribal organisations and activists as well as the representatives of NGOs before prosecuting the study. The participants of the meeting strongly felt that since the Government of India had commissioned the survey, it would be worthwhile to conduct it in nine districts, though the fund has been sanctioned only to conduct the study in seven districts. The process of data collection was undertaken by all the organisations mentioned above simultaneously in the months of February and March 1998. They collected data from 19 revenue villages of nine districts in the state of Tamil Nadu. They did not select samples tribewise. However, the selected sample of 3,341 households was representative of nine major tribes in the state. They are Bettakurumbas, Kattu-naickens, Mullukurumbas, Paniyas, Irulas, Sholagas, Uralis, Malayalis and Kurumans. Study I covered nine tribes including Toda and Kota whereas Study II covered nine tribes excluding Toda and Kota, but including Uralis and Kurumans.

Methodologically, Study I was sound compared to Study II carried out by the NGO. Study I report consists of 461 typescript pages including 316 tables. The report is divided into nine chapters including an introductory chapter. The second chapter on tribal setting presents the geographical distribution and the socio-economic features of all the STs in Tamil Nadu. A brief resume of tribal development programmes in the state is given in the third chapter. The fourth chapter discusses protective legislation with special reference to alienation of tribal lands. Tribal economy in terms of occupations, landholdings, income and expenditure patterns of tribal households of selected villages are presented in the fifth chapter. The different forms of alienation of tribal lands and the magnitude of the problem of land alienation, by districts and tribe, are discussed in the sixth chapter. The seventh chapter discusses the loss of tribal lands to the forest department. The causes for land alienation of tribal lands are given in the eighth chapter. Summary and conclusion are given in the ninth chapter.

The report of Study II consists of 60 pages in print, including 13 tables and 11 graphs. The report has been divided into five chapters: 'Overview', 'Methodology', 'Results and Discussions', Legislation in Tamil Nadu vis-a-vis Tribal Lands' and 'Recommendations and Conclusions'. In Study II, one page interview schedule was administered with 3,341 sample of 19 revenue villages situated in nine districts. The quantum of information gathered in Study II was very poor compared to that of Study I. The objectives of both the studies are to study the problem of land

alienation from tribes to non-tribes and to identify the weaknesses/loopholes in the administrative as well as legal structures. The scope of Study II was limited to the northern districts of Tamil Nadu and they ignored the southern districts particularly Cuddalore, which is bifurcated from the South Arcot district, where there is a high concentration of tribal population. Table 4.3 gives the picture of the sample drawn by the studies.

TABLE 4.3: Sample Population of Two Studies

Districts	1989	1998
Chengelpet	–	286
Coimbatore	222	741
Dharmapuri	93	105
Namakkal	–	100
Nilgris	614	648
North Arcot	407	96
Periyar	246	275
Salem	684	458
South Arcot	–	365
Villupuram	–	632
Total	2,631	3,341

Source: Reports of Study I and II.

TABLE 4.4: Extent of Alienation of Tribal Lands by Districts in Tamil Nadu

Districts	1989			1998		
	No. of HHs	No. of Alienated HHs	Alienated Lands in Acres	No. of HHs	No of Alienated HHs	Alienated Lands in Acres
Chengelpet	–	–	–	286	65	89.20
Coimbatore	222	5	16.68	741	112	321.95
Dharmapuri	93	31	155.04	105	44	104.55
Namakkal	–	–	–	100	130	234.53
Nilgiris	614	247	544.05	648	236	331.55
North Arcot	407	112	409.30	96	9	33.15
Periyar	246	46	141.76	275	124	679.49
Salem	684	411	1615.37	458	279	874.50
South Arcot	365	134	748.05	–	–	–
Villupuram	–	–	–	632	'536	1979.00
Total	2631	986	3630.25	3341	1535	4647.92

Source: Reports of Study I and II.

Land Legislation in Tamil Nadu

Article 46 of the Constitution clearly makes the state responsible for protecting the STs from social injustice and exploitation. The tribal sub-plans, accordingly, envisage various measures for eliminating exploitation of tribal people. Development of tribal economy with additional income generating schemes and provision of credit and access to market systems are expected to weaken the traditional hold of traders and moneylenders on tribal people. Promotion of literacy and the quality of education among tribes also would contribute to this end. Nevertheless, it is essential to formulate laws against all forms of exploitation of tribal people.

Linkage between private moneylending and debt bondage leading to sale or mortgage of tribal lands to non-tribal people is well known. There is, therefore, need to frame legislation not only against alienation of tribal lands to non-tribal people, but also legislation regulating private moneylending and redemption of debt bondage. Several states have already passed such legislation. In Tamil Nadu, the following acts are in operations:

- The Madras Moneylenders Act of 1937
- The Madras Pan Brokers Act of 1943
- The Madras Debt Conciliation Act of 1936
- The Madras Indebted Agriculturists (Repayment of Debts) Act of 1955
- Tamil Nadu Debt Relief Act of 1976
- Tamil Nadu Debt Relief Act of 1980
- Tamil Nadu Debt Relief Act of 1982

All these acts are meant to protect the backward people against exploitation. As the provisions in the above acts are found to be inadequate to cover the tribal situation, the government of Tamil Nadu is contemplating fresh legislation dealing with regulation of private moneylending and debt redemption for the benefit of tribal people.

Tribal lands can be broadly divided into two categories: (1) private lands with full-fledged rights; and (2) government assigned lands. Revenue porambokes or forest porambokes are assigned to the tribal people. In several cases, the government gave conditional pattas on these lands to the tribal assignees. As per the terms and conditions of this assignment, the tribal assignee should himself cultivate these lands and should not transfer, donate, sell or mortgage (usufructuary type) these lands for a period of 10 years. Any violation of these conditions would empower the state government to confiscate these lands. The revenue board standing orders containing the above terms and conditions governing assigned lands are felt to be adequate to deal with cases of alienation of assigned lands. The standing orders of the revenue board—BSO 15–40—apply only to Malayali and Sholaga tribes of Tamil Nadu. They prohibit transfer of land assigned to these tribes without approval of divisional commissioner. The state has no legislation prohibiting transfer of ST lands in the state to protect transfer of tribal land to non-tribals particularly the patta lands owned by the tribes other than the assigned lands. The state government is reported to be contemplating enacting a legislation in this regard.

The government of Tamil Nadu prepared a bill during 1986 and sent it to the Government of India for their concurrence. Since then, the Government of India undertook two major surveys to assess the magnitude of the problem of land alienation in the state. Both the studies had pointed out the need for separate legislation in the context of tribal lands in order to safeguard the tribes. The government has to take a decision immediately to control land alienation from tribes to non-tribes as well as within the tribal groups. The new law should arrest land alienation within the tribal groups too and reduce inequality among them. Further the new law should focus on various forms of land alienation such as sale, mortgage, lease and compulsory acquisition by government institutions.

The Government of India's concern in the deteriorating tribal land situation shows in a number of commissions set up to make an in-depth analysis of the problem of development of STs in general and the problem of tribal land alienation in particular. The Dhebar Commission in 1961 paid attention to the deteriorating land situation in the tribal areas. They called for a thorough review of the laws relating to land alienation and for adoption of a uniform approach within and outside the scheduled areas. The Shilu AO Committee in 1969 reiterated the observations of the Dhebar Commission, and urged the government to take up vigorous protective measures. A committee under the chairmanship of P. S. Appu again went into the question of land alienation in 1972 when tribal development agencies were established in the wake of agrarian unrest in Andhra Pradesh, Bihar and Madhya Pradesh. Elimination of exploitation and effective protective measures was accepted as an integral part of the strategy for tribal development under the sub-plans and highest priority was accorded to this problem.

In the Fifth Five-Year Plan, action was initiated on two important lines, viz, updating and preparation of land records in the tribal areas, and review of laws relating to land. The dissonance continues between the real situation in the field and

TABLE 4.5: Causes of Land Alienation during 1989
(Per cent)

Districts	Domestic Consumption	Debt Repayment	Medical Expenses	Social Religious	Alcoholism	Others	Total
Coimbatore	60.00	–	–	–	–	40.00	100
Dharmapuri	51.28	20.51	–	10.26	–	17.95	100
Nilgiris	60.52	13.49	6.91	10.86	1.97	6.25	100
North Arcot	58.82	17.65	0.84	5.04	–	17.65	100
Periyar (Erode)	64.58	10.42	6.25	10.42	–	8.33	100
Salem	56.44	24.24	0.95	6.25	0.19	11.93	100
South Arcot	50.31	19.99	0.61	10.30	0.61	18.18	100
Total	57.04	19.54	2.57	8.10	0.66	12.09	100

Source: Report of Study I.

TABLE 4.6: Causes of Land Alienation during 1998
(Per cent)

Districts	Domestic Needs	Medical Needs	Bank Loans	Other Debts	Not Given	Total
Chengelpet		Details not reported				
Coimbatore	0.00	0.00	0.00	0.00	100.00	100
Dharmapuri	0.00	0.00	0.00	70.97	29.03	100
Erode	18.49	1.68	0.00	16.81	63.02	100
Namakkal	0.00	0.00	0.00	12.79	87.21	100
Nilgiris	17.90	16.33	2.45	9.86	53.46	100
North Arcot		Details not reported				
Salem	0.00	0.00	0.00	75.78	24.22	100
Villupuram		Details not reported				
Total	7.71	4.91	0.70	31.66	55.02	100

Source: Report of Study II

the land records due to inadequate preparatory work to ascertain local traditions, customs of land tenure and communal nature of ownership and land use, and failure to orient the land records staff before undertaking these operations.

The process of the review of land laws was also initiated in the Fifth Plan following the conference of state ministers in charge of welfare of backward classes in 1973 who resolved that the existing laws relating to transfer of land should be prepared for identification of lands transferred legally or irregularly within a period of two years. The ministry of home affairs circulated a model draft for land legislation drawing attention to the possible loopholes. The Sixth and Seventh Five-Year Plans have also consistently reiterated the need for taking legislative and administrative measures by states for protection of tribal interests in land. Since land is a state subject, the responsibility of enacting necessary legislation and its implementation rests with the state governments. In the Revenue Minister's Conference of May 1985 and November 1986, a number of recommendations were made regarding the question of tribal land alienation. The Deputy Minister, Department of Welfare, Government of India, addressed a letter to tribal welfare ministers in April 1986 and the welfare minister wrote to chief ministers of all tribal sub-plan states in May 1986 drawing their attention, among others, to the problem of tribal land alienation and the need for taking protective measures. The prime minister also addressed a letter to the chief ministers in June 1986 emphasising the need to tackle, among others, the problem of tribal land alienation.

The working groups on tribal development since the last five five-year plans have made extensive reference to the problem of tribal land alienation and steps necessary to check this process. In addition, some committees constituted on various aspects of problems of tribal unrest and development also refer to the problems of tribal land alienation. The Planning Commission had constituted a separate committee under the chairmanship of B. K. Roy Burman exclusively on this subject with particular

reference to the effect of survey and settlement operations on tribal landholdings. There are also independent researches done on the subject by the state tribal research institutes.

Analysis

Several tribal areas experienced unrest in the wake of exploitation of tribal people by non-tribal traders, moneylenders and immigrant farmers. This can be seen in the 12 reports submitted by the various research institutions and university centres. The survey was carried out on the direction of the ministry of rural development during 1986.[1] In particular, in the state of Tamil Nadu, a few scholars have carried out some work in respect of tribal development (Saminatha Ratnam 1988; Manivannan 1989; Karuppaiyan 1990; Ramachandran 1992). They too reveal that the non-tribal people grabbing tribal lands by deceitful methods is the worst form of exploitation found in tribal areas. Ironically, the process of development of tribal areas, particularly after independence, has brought non-tribal people and institutions and organisations into tribal habitats leading to greater exploitation of tribal people and alienation of tribal lands.

Out of 2,631 tribal households of Study I, 986 households constituting 37 per cent have lost their lands aggregating 3,630.25 acres (see Table 4.4). The average area alienated comes to 1.38 acres for a tribal household in general and 3.68 acres for the alienated households. It is important to note that 160 tribal households have completely alienated their lands to the extent of 738.97 acres and joined the ranks of landless tribal people. The incidence of alienation of lands does not show any clear trend in terms of households. But in terms of area, the percentage has steadily declined with the farm size.

The 2,631 tribal households surveyed consist of 652 landless households (25 per cent), 920 marginal farmers (35 per cent), 642 small farmers (24 per cent), 305 medium farmers (1.2 per cent) and 112 large farmers (4 per cent). Thus a large majority of the tribal households are landless and weaker sections among farmers in the state.

Looking across the districts, the incidence of alienation of tribal lands is significantly higher in the concentration areas and also primitive tribal areas compared to dispersed tribal areas. The highest incidence of alienation is found in Salem district where 60 per cent of the tribal households lost 36 per cent of their lands. South Arcot comes second with 37 per cent of tribal households lost 28 per cent of their lands. In Dharmapuri, 33 per cent of tribal households have lost 34 per cent of their lands and 28 per cent of households have lost 22 per cent of their lands in North Arcot district. In Nilgiris, the primitive tribal areas, 40 per cent of tribal households have lost 35 per cent of their lands.

Some interesting information was brought to the notice of the researchers. It seems the officers who undertook land survey were not familiar with the local dialect of Tamil. The tribes reported as cultivating their land 'kadu' (meaning cultivable land) which was understood by the officers as forest. The word is very familiar and

TABLE 4.7: Forms of Land Alienation by Districts, 1989
(Per cent)

Districts	Sale	Mortgage	Lease	Encroach-ment	Total
South Arcot	87.80	4.42	0.28	7.50	100
Salem	83.35	5.87	1.16	9.62	100
Dharmapuri	77.27	7.89	–	14.84	100
Coimbatore	65.95	–	34.05	–	100
North Arcot	42.10	16.38	26.02	15.50	100
Periyar (Erode)	23.90	31.69	14.23	30.18	100
Nilgiris	25.26	51.90	14.72	8.12	100
Total	68.64	14.72	6.04	10.60	100

Source: Report of Study I.

TABLE 4.8: Forms of Land Alienation by Districts, 1998
(Per cent)

Districts	Sale	Cheating Mortgage	Lease Land	Acquiring Given	Not	Total
Chengelpet		Details not reported				
Coimbatore	0.77	77.69	20.77	0.00	0.77	100
Dharmapuri	58.06	41.94	0.00	0.00	0.00	100
Erode	50.81	35.48	7.26	4.84	1.61	100
Namakkal	30.34	10.11	0.00	59.55	0.00	100
Nilgiris	72.95	16.80	3.69	0.41	6.15	100
North Arcot		Details not reported				
Salem	5.08	9.76	0.00	80.08	5.08	100
Villupuram		Details not reported				
Total	34.32	26.66	5.15	30.32	3.55	100

Source: Report of Study II.

widely prevalent meaning of cultivable land in the tribal areas. But this semantic problem has caused a permanent damage to the interest of the tribes. As a result many of them have lost their lands to the forest department.

In Study II, of the surveyed 3,341 households in nine districts, 1,535 households have lost their lands aggregating 4,647.92 acres. The degree of land alienation varies from district to district. The magnitude of land alienation is very high in Villupuram district in terms of number of households and the lands alienated. It is followed the Salem district. Patta lands have been transferred to non-tribals with the aid of the administration.

This study has clearly brought out this complicity. Almost all the districts surveyed had instances to report of the village administration being a party to the

alienation process. In many of the districts, most of the tribes were reported to have lands of very low quality. The majority of them depend on rains. There are families which have more than 7 acres of land but do not know what to do with the land. Productivity of land, therefore, is a key issue. Any remedial measure aimed at solving the land alienation problems of the tribal people cannot do so without providing any measure for increasing the productivity of tribal lands.

Why land alienation? Why should the tribes sell land at all? Study I notes drinking, celebration of festivals, etc., which lead to tribal indebtedness and finally sale of land. Looking at the causes of land alienation (see Table 4.5), domestic consumption, i.e. expenditure in excess of income, was reported in 57 per cent of cases, debt redemption in 20 per cent of cases, expenditure on social and religious functions in 8 per cent of cases, medical expenses in 3 per cent of cases and alcoholism in 1 per cent of cases. The other category includes the individual inability to cultivate lands, lack of irrigation facilities, preponderance of non-tribes surrounding tribal lands, continuous crop failure, joint patta problems, and locational disadvantages (long distance from their settlements). This category was reported in 12 per cent of cases. Thus the general picture obtained reveals that domestic consumption followed by debt repayment, inability to cultivate because of various reasons, social and religious ceremonies, medical expenses and alcoholism were the major causes of alienation of tribal lands in that order. More or less the same picture can be seen in all the districts except in Coimbatore district.

In Study II, it is rather surprising to note that the reason for land alienation (see Table 4.6) has not been reported by 55 per cent of cases. This may be because research investigators were not to elicite the information from the tribes. However, of the reported cases, the 'other debt' category constitutes a larger proportion of 32 per cent, followed by domestic expenses and medical needs. In general, the tribes are often in need of money for their daily needs. They have no assets to fall back on, except their land. This is mortgaged or leased out to non-tribals. The lease expires and the land is never returned. Details have not been reported in the districts of Chengelpet, North Arcot and Villupuram. But they faced some special problems in the districts of Villupuram and Chengelpet.

In the Villupuram district, 600 families of Malayali tribe were surveyed. In this district, the forest department started taking over the lands and evicting the tribal people. After some period the administration and the tribal people woke up to the impacts. The government then issued an order in 1984 that if the tribes could prove they have been in possession of the lands for a three-year period, they could be assigned lands. But the people had to make their representation in six months. This provision has failed. Again, the government studied the issue and a fresh settlement was agreed on. But, the settlement office felt that this would not yield any new results as the tribes had no papers and were practising shifting cultivation. It was then decided to allot two hectares per family for 5,000 tribal households. So far, neither have the lands been allotted nor families identified. Immediate action is needed in this regard.

TABLE 4.9: Agents of Alienation, 1989
(Per cent)

Districts	Non-Tribe	Institutions	Government	Total
Coimbatore	100.00	–	–	100
Dharmapuri	100.00	–	–	100
Nilgiris	99.00	0.40	0.60	100
North Arcot	86.00	11.00	3.00	100
Periyar (Erode)	98.00	–	2.00	100
Salem	96.00	1.00	3.00	100
South Arcot	88.00	9.00	3.00	100
All	95.00	3.00	2.00	100

Source: Report of Study I.

TABLE 4.10: Agents of Alienation, 1998
(Per cent)

Districts	Non-Tribe	Tribes	Government Institutions	Other	Not Given	Total
Chengelpet	Details not reported–special cases explained					
Coimbatore	34.35	0.00	0.00	65.65	0.00	100
Dharmapuri	100.00	0.00	0.00	0.00	0.00	100
Erode	98.26	0.00	1.74	0.00	0.00	100
Namakkal	39.77	0.00	60.23	0.00	0.00	100
Nilgiris	85.66	2.05	0.41	0.00	11.38	100
North Arcot	Details not reported					
Salem	80.54	0.00	13.23	0.00	6.23	100
Villupuram	Details not reported–special problems explained					
Total	73.91	0.58	10.39	9.93	5.19	100

Source: Report of Study II.

In Chengelpet district, two special cases were reported. The Sriperumpudhur case involves the Rajiv Gandhi Memorial. For the purpose of building a memorial, the tribes were asked to vacate the place. They were promised adequate rehabilitation, but they have only been given houses in a colony, with no land or any other assistance. About 50 families have been evicted. Another case has happened in the village Thannerkulam, which falls in the belt area around 41 kms from Chennai. The tribe Irulas has B-Memos and the certificates as proof for their landholdings. Repeated requests for pattas were always turned down. Some year back, T I Cycles took over the lands of five people (1.92 acres). There are rumours that SIDCO plans to develop that area further. The tribes are being threatened, but they have taken up an organised fight for their rights. It may be concluded that the problems of land alienation are growing over the period in different ways. The causes of land alienation are associated with some traditions as well as their circumstances.

The various forms of land alienation found in tribal settlements are outright sale, mortgage, lease, cheating and encroachment of tribal lands. A total of 2,733.42 acres of tribal land was alienated to non-tribals alone, which constitutes 95 per cent of all tribal alienated lands. Outright sales occupy major form of land alienation and cover 2,492.18 acres constituting 69 per cent of the total alienated lands (see Tables 4.7 and 4.9). Sale of tribal lands is the major form of alienation followed by mortgage, encroachment, and lease of lands in that order. Most encroachment has been reported in the case of dry lands followed by revenue poramboke (waste land) and forest poramboke. Encroachment has been reported by all categories of farmers and because of this all the farmers have lost a sizeable portion of revenue and forest poramboke and the extent is quite high in the case of landless and marginal farmers.

South Arcot has the most land alienated through outright sales; Nilgiri district through mortgage; Coimbatore district through leasing; and Periyar district through encroachment. In general, the alienation of tribal lands has been mainly in the form of outright sale.

Study II reports that the forms of land alienation are sale (34 per cent), acquiring land (30 per cent), cheating (27 per cent) and mortgage (5 per cent). Most of the lands were alienated to non-tribals (74 per cent) and the rest to government (10 per cent) and other institutions (10 per cent). It is interesting to note that land alienation occurs within the tribes, although it is only to a meagre extent of 0.58 per cent. This has happened in the district Nilgiris. This development may spread over to other districts also.

In the Coimbatore district, there were 42 cases of alienation to non-tribals and 84 cases of alienation that was to an institution, viz, the Coimbatore Zoological Park (CZP). The CZP was founded in 1986 by a group of Coimbatore industrialists. The government had allotted 250 acres for the park but the society has managed to get an additional area of 400 acres by various means, which should be construed unethical. Much of the land allotted to the park—tribal lands or government porambokes—were those which the tribes were cultivating earlier. A fact finding mission of the People's Union for Civil Liberties (PUCL) investigated the problem. They found that the land transaction appeared to be legal but various illegal means such as coercion, fraud, misinterpretation and forgery had also played their role. There were many cases of the CZP having possession of sale deeds in the name of patta holders who were dead. The mission has raised various doubts in this regard. In general, most of the cases were unreported and some cases were reported and no action has been taken so far in favour of the tribes.

Conclusions

Study I shows that 986 households constituting 37 per cent of the total 2,631 households have lost 3,630 acres of land (31 per cent). On an average there is a loss of 1.38 acres per tribal household and 3.68 acres for every affected household. An important point that emerges from the survey is loss of economic status for

small and marginal farmers reducing them to landless households in the process of alienation of lands. Sale, usufructuary mortgage, leasing out and encroachment are the four forms of land alienation found in tribal societies. Tribal lands are alienated to non-tribal people and private institutions and government departments. The non-tribals share in the alienation of tribal lands comes to 95 per cent as against 2.38 per cent to government departments and 2.72 per cent of private institutions like Christian missionaries.

In Study II of the surveyed 3,341 households in nine districts, 1,535 (46 per cent) households have alienated their lands to the tune of 4,647.92 acres. On an average there has been a loss of 1.39 acres per tribal household and 3.05 acres for every affected tribal household. Around 74 per cent of the lands have been lost to non-tribals, followed by the government (10 per cent) and other institutions (10 per cent). The causes of land alienation were not reported in the majority of the cases (55 percent). Of the reported causes, debts play a vital role (32 per cent). The forms of land alienation are sale (34 per cent), acquiring land (30 per cent), by cheating (27 per cent) and mortgage (5 per cent).

The foregoing particulars provide ample testimony to the fact that the decree of alienation has not been reduced at all over the period of study in the state of Tamil Nadu. A matter of greater concern is that there has been no action on the part of the government in this regard to restore the alienated lanes to the tribes.

The following are suggestions for action.

The Tamil Nadu Scheduled Tribes Restoration and Transfer of Immovable Property Bill of 1986 has been prepared and is waiting to be passed in the legislative assembly. The details of the bill must be made public and the government can invite discussions on the bill from various sectors involved in tribal development. The state government may pass legislation immediately prohibiting alienation of tribal lands to non-tribal people and providing for restoration of alienated lands to the respective tribes with effect from 1950.

Alienation or transfer for purposes of this law will cover not only transfers by sale to non-STs, but all kinds of transfers including benami transfers, transfers to wives, ploughmen, servants, adopted sons or daughters, sons or daughters taken in adoption by non-tribals, transfer through marriage with tribal women, transfer through consent decree, declaratory suits, and deeds of surrender or abandonment of land executed by STs in favour of non-tribals will also be covered.

Restrictions should be placed on the transfer of land from small and marginal landholders belonging to STs to those with large landholdings and economically better placed among them in order to prevent the further impoverishment of the former.

In-depth scrutiny of methods of preparation of land records and their maintenance and updating will be undertaken to identify cases where lands cultivated by tribal individuals or communities have been misrecorded.

The rules and regulations of institutional credit agencies have to be suitably modified to facilitate easy, adequate and timely credit to eligible families.

The state government should pass legislation or issue an ordinance abolishing all debts of tribal people owed to non-tribal people, and also regulating private money-lending in tribal areas.

As alcoholism is found to be one of the reasons for alienation of tribal lands, steps should be taken to eliminate or at least control liquor enterprise being run by non-tribal people.

Purchase of tribal lands by private institutions including Christian missionaries has to be checked and lands used for commercial purposes should be confiscated immediately.

As the tribal people are generally illiterate and ignorant of the provisions of various rules and regulations, efforts should be made to educate and enlighten them. Efforts should also be made to provide free legal aid to all tribes and the legal aid cells up to the block level have to be strengthened further.

As a large chunk of lands cultivated by tribal people in Kalrayan hills of South Arcot district were classified as 'kadu' (forest) and taken over by the forest department through a misunderstanding of the dialect spoken, a resurvey of the entire Kalrayan hills of South Arcot district is necessary.

It is also necessary to take note of the fact that the process of alienation of tribal land continues despite the legal provisions which exist in other states against such alienation. This is on account of the fact that the individual tribal is under continuous pressure from a variety of forces which ultimately result in the loss of his only capital base, agricultural land. He is not in a position to comprehend the significance of individual transaction like transfer of land by him in the total socio-economic dynamics of the situation. It is necessary that all those forces which individual tribal is facing are identified, understood and countered suitably, otherwise legal provisions and administrative measures will continue to be inadequate and ineffective.

Notes

1. These surveys and studies were carried out with the help of tribal research institutes and with some university centres. They are: (a) Tribal Cultural Research and Training Institute, Hyderabad, Andhra Pradesh; (b) Tribal Research Institute, Guwahati, Assam; (c) Tribal Welfare Research Institute, Ranchi, Bihar; (d)Tribal Research and Training Institute, Ahmedabad, Gujarat; (e) Social and Women's Welfare Department, Shimla, Himachal Pradesh; (f) Tribal Research and Development Institute, Bhopal, Madhya Pradesh; (g) Tribal Research Institute, Pune, Maharashtra; (h) Tribal Research Institute, Udaipur, Rajasthan; (i) Tribal Research Centre, Udagamandalam, Tamil Nadu; (j) Department of Revenue, Government of Tripura; (k) Central Research Institute, Scheduled Castes and Tribes Welfare Department, Government of West Bengal; and (l) Tribal Research Institute, Bhubaneshwar, Orissa.

References

ACCORD, and Adivasi Munnetra Sangam. 1998. *Report of the Study on Tribal Land Alienation in the State of Tamil Nadu, The Nilgiris.*

Ao, P. Shilu. 1969. *Report of the Study Team on Tribal Development Programmes: Committee on Plan Projects*. New Delhi: Planning Commission.

Dhebar, U. N. 1961. *Report of the Scheduled Areas and Scheduled Tribes Commission*. New Delhi: Planning Commission.

Government of India. 1989. *Report of the Working Group on Development and Welfare of Scheduled Tribes during Eighth Five-Year Plan 1990–95*. New Delhi: Ministry of Welfare.

Karuppaiyan, E. 1989. 'Issues in Poverty Alleviation Programmes for the Tribals'. *Social Action* 39, pp. 72–82.

____. 1990a. 'Development of a Tribal Village in Tamil Nadu: 1961–1988'. Unpublished PhD dissertation. Annamalai Nagar: Annamalai University.

____. 1990b. 'Alienation of Tribal Lands in Tamil Nadu'. *Economic and Political Weekly* 25, pp. 1185–86.

____. 1990c. 'Studies on Tribal Development in India: A Critical Analysis'. *International Journal of Development Planning Literature* 5 (4): 159–72.

Raghava Rao, D. V., and K. Baskaradoss. 1989. *A Study on Alienation of Tribal Lands in Tamil Nadu*. Udagamandalam: Tribal Research Centre.

Manivannan, S. 1989. 'A Study of Tribal and Indebtedness with Special Reference to the Malayali Tribe of South Arcot Kalrayan Hills, Tamil Nadu'. Unpublished PhD dissertation. Annamalai Nagar: Annamalai University.

Ramachandran, S. 1992. 'Integrated Tribal Development Programmes: An Evaluation at Kalrayan Hills of South Arcot District'. Unpublished PhD dissertation. Annamalai Nagar: Annamalai University.

Saminatha Ratnam, R. 1988. 'A Case Study of the Tribal Economy of Malayalees of Pachamalai Hills, Trichirapalli District, Tamil Nadu'. Unpublished PhD dissertation. Annamalai Nagar: Annamalai University.

5

Displacement from Land

Case of Santhal Parganas[*]

Nitya Rao

The focus of this article is primarily on the land tenure system in the Santhal Parganas, particularly on issues of alienation and loss of land and how far state land policies have been able to ensure land rights to the poor, particularly the Santhals. This article is based on fieldwork conducted in the Santhal Parganas in March–April 2003 and January 2004. Two districts were selected for the study: one scheduled (Dumka) and the other non-scheduled (Deogarh). While villages spread over six blocks of Dumka district were covered, two blocks were covered in Deogarh. Village visits involved both individual interviews and group discussions on customary norms and practices, how land laws and government policies function in practice, dispute resolution mechanisms, extent of tenancy and alienation of land and struggles around land restoration. Apart from the village visits, discussions were held with a range of government officials at the district level, lawyers, NGOs and activists, in order to understand the intricacies of legal provision and its functioning in practice.

Land Tenure System

The Santhal Pargana Tenancy Act (SPTA), passed soon after independence in 1949, provides the legal framework governing the land systems in the Santhal Parganas. Section 20, the main protective clause in this act, ensures non-transferability of land. As a result most Santhals have some landholding, even though often small due to division and sub-division over generations. The paharias, or forest tribes, still largely reside on hill-tops in forested villages. They cultivate land that has been cleared in the forests, but which is not yet regularised due to the non-appointment of a forest settlement officer. They also engage in shifting cultivation ('kurram' or 'jhum') as do the Santhals in these forested villages. This is seen as an illegal activity by the forest

* *Economic and Political Weekly* 40 (41), 8 October 2005.

department, often subjecting the people to bribes in return for such cultivation. However, as per Rule 10(i) of the Santhal Paragana Protected Forest Rules, Paharias do have legal rights to jhum, not just in unsettled areas but also in settled villages in the areas which have been set apart for the purpose by the settlement officer.[1] Clearly, there is a legal anomaly here in terms of existing rights, which remain legally valid, yet are ignored by the staff of the forest department in enforcing the new guidelines under the Forest (Conservation) Act, 1980.

While deriving its name from the Santhals, the Santhal Parganas has both Hindu (46 per cent) and Muslim (18 per cent) residents as well, though the pattern of their landholding varies with location. While the Hindus own most of the land in the non-'damin' parts of the Santhal Parganas (they constitute 75 per cent of the population in Deogarh district, with STs accounting for only 13 per cent and Scheduled Castes 12 per cent), Hindu ownership of land is more limited in the damin areas.[2] Many of them came to the damin as writers and traders from Bengal in the second half of the nineteenth century, in service of the colonial rulers and gradually acquired some land, mainly for their homestead. In the non-damin areas, however, being originally zamindari estates, the inequality in land distribution is much higher, with a few large holders and several small holders and landless households. The majority of the landless are the scheduled castes (SCs), who either follow caste-based occupations such as pottery ('kumhars') or fishing ('kewats'), or now engage in wage labour of different sorts. Most Santhals, poorer Hindus and Muslims, who may have small land-holdings, also engage in wage labour.

Given the growing differentiation in the population and a lack of resources, combined with the legal inability to buy and sell land in the Santhal Parganas, a range of tenancy and share-cropping arrangements (lease and mortgage) have emerged. The most common form is land mortgage, locally termed 'bhorna' or 'miyad'. In this form, grain or money is borrowed during times of need, and a proportionate amount of land given for the crop season. Linked to poverty and indebtedness, bhorna is widespread in most villages. There was only one village I visited, located in Kathikund block, where there is no bhorna, and this was largely the result of interventions by an NGO followed up by a strong and active village leadership, who have developed a systematic programme to promote irrigation and multi-cropping, provision of small consumption loans and community control on grazing and cattle management to enable an increase in productivity.

A second option, 'bhag' or sharecropping, is a more equitable arrangement than bhorna. The output is divided equally—the land is the contribution of the owner, while the seeds and labour are provided by the sharecropper. It provides an insurance against risk for the owner and an incentive to the tenant. A large number of women-headed households, unable to cultivate their land, primarily due to the lack of male labour for ploughing, give out their land on bhag arrangements, often to their male kin.

A third arrangement is 'krishani', where the owner of the land gets two parts, while the cultivator gets a third of the output. The tenant provides the inputs. Perhaps the rates are higher as krishani only operates in dhani (paddy-growing lowlands) lands. Unlike bhag, however, krishani signifies a social relationship where

the owner of the land is in a dominant position relative to the tenant. The high rent means that the latter are usually unable to make both ends meet.

A fourth arrangement is 'bhugatbandha', a lease of land that is legally recorded and the maximum duration of which can extend to six years as per section 21 of the SPTA. While similar to bhorna in both form and terms, bhugatbandha is almost totally restricted to Hindu groups, who are legally not allowed to acquire land in any other form. This is widely prevalent in Deogarh district (called 'satta'), but as my field visits revealed, is rarely registered, and has taken on exploitative forms. The lands are often completely alienated, staying as they do in the possession of the lessee for several decades. Legal action has, however, rarely been resorted to, and even where it has, cases have not yet been resolved or judgments delivered.

While debt bondage has been the traditional form of land alienation at an individual level, the last few years, particularly since the formation of Jharkhand, have seen widespread loss of land on at least two counts: (i) private transfers for undertaking stone quarrying on the land; and (ii) displacement due to excessive siltation of the Masanjore dam constructed in 1955–56.

Loss of Land

Stone Quarrying and Crushing

According to the district mining officer, Dumka, mining leases are granted under the Bihar Mining Concessionary Rules, 1972, with approval of the deputy commissioner (DC). As underground mineral rights vest with the government, they receive a royalty per truckload of stones removed. No transfer of land takes place, though the owner of the land does make a private agreement with the contractor to clear his land of stones. There are currently 190 stone quarries in Dumka district, 120 of them having been established since the formation of Jharkhand.

According to the SPTA, any transfer of adivasi land is illegal, with exceptions mainly relating to gifts to a daughter or sister, grant to a widowed mother or wife or transfer in favour of a daughter married to a 'gharjawae' (resident son-in-law). The Samatha judgment (1997) noted that mining operations in adivasi areas should be conducted through cooperatives of adivasis. Twenty per cent of the net profit should be spent on education, health and communication services and no private mining should be allowed. Following this judgment, all state governments were asked to consider revisions in their mining rules in scheduled areas, rather than violating the law. The Association for Weaker Adivasis Enhancement and Rural Development, Sahebganj, has filed writ petition no. 842/2001 in the Ranchi High Court requesting a stay on the renewal of old and granting of new mining leases till such time as the mining rules are revised. The advocate general of the state, however, issued a letter of clarification (no. 724 dated 16 June, 2001) to the DCs of Sahebganj and Pakur districts in the Santhal Parganas, stating, 'though the case was pending, the high court had not passed any interim order of stay for the mining leases already granted, nor passed any order restraining the state of Jharkhand from either refusing or granting any fresh lease' (my translation from Hindi). The granting of leases has,

therefore, continued and the revenues from royalty exceeded Rs 2 crore for Dumka during the year 2002–3.

Discussions with stone quarry and stone crusher contractors in Sikaripara block of Dumka district revealed some ambiguity regarding the amount of money paid for the land on which the quarries and crushers were located and the time period of lease. Estimates varied from Rs 3,000–5,000 per bigha[3] for a period ranging from 5 to 20 years. While there are a few Santhals amongst the quarry contractors and owners, the majority are not adivasis. The landowners, mostly poor adivasis, agreed to make informal lease agreements and hand over their land to the contractors in return for some cash.

While it is true that people who earlier migrated seasonally for employment get work locally now, the stone quarries have raised a range of issues surrounding wages, health hazards, common property and social character of the population. While the government minimum wage rate is Rs 64 for an 8-hour working day, the contractors usually make the workers clock longer hours for a lower rate of Rs 45 per day. This has been facilitated by the fact that almost half the workers on the quarries are migrants from outside the district. A second issue relates to the health hazard due to pollution and dust from the crusher. Neither is there a protective wall (12 feet high as per the rules) on all sides of the crusher, nor do the workers, mainly women, get any protective gear. While the activity is too recent for any assessment of health impacts, evidence from Ghatsila does suggest the negative health consequences, like silicosis, of working in the crushers.

Third, one of the villages in the area I visited reported that the mine-owners were throwing the mud dug out of the mines on the 'gauchar' or common grazing land of the village, and this was now a big heap and totally unuseable for grazing purposes. They met the DC, who asked the circle officer (CO) to enquire into the matter. The CO never visited the area, but filed his report at the behest of the contractors. The grazing land is now virtually lost without any compensation. Finally, with cash flowing in to the local economy, there has been a spurt in the consumption of liquor and a rise in sexual crimes.

In terms of land policy, it is clear that a lot of land is being taken over by the quarry contractors through private agreements that are not only illegal as per the SPTA, but which also deny the owner a fair compensation for the use of his/her land. While the land is leased for a few years, a look at the sites and the deep pits therein clearly show that they cannot be brought back into cultivation. This makes it important to think about the future livelihood consequences for the poorer adivasis. If such quarrying is required, cooperatives could be formed as per the recommendations in the Samatha judgment, thus enabling the adivasis to receive a larger share of benefits.

MASANJORE DAM: OUTSTANDING CHALLENGES

Built in 1955 by the government of West Bengal on the river Mayurakshi, the Masanjore project was planned as a multi-purpose scheme with objectives of power generation (4 MW), irrigation, flood control and industrial use. While the project

displaced 144 villages in Dumka district, spread over 19,000 acres of land, 5,000 of which was 'baihar' or lowlands used for paddy cultivation, the major benefits of the project went to West Bengal. Some people lost all their land and had to physically move to a new location, while others stayed on in their villages, only part of their land submerged. While there was a rehabilitation package—land for the adivasis, a choice of cash or land for non-adivasis, some crop compensation and a promise of improved services including irrigation—there have been loopholes, inefficiencies, fraud and other problems all the way through.

While the life of such projects is normally assumed to be fifty years, if maintained well, they continue to function for almost double this period. Yet, between 1954–55, when the project was commissioned and 1979–80, there was a sedimentation rate of 16.42 hectare metre per year per 100 sq km as against the assumed value of 3.7. This has reduced the dead storage capacity by 41 per cent and the total storage capacity by 12.5 per cent over this period (CES 1991). Two problems have arisen as a result—while irrigation water is not reaching the tail-end villages on the one hand, cultivable land in the upstream villages has been rendered waste as a result of siltation. Without irrigation, people are unable to cultivate and have no option but to migrate for either agricultural work or work on the stone crushers in West Bengal. Work is hard, seasonal and insecure, children fall ill, and often they only manage to save grains to bring home with them.

In a village of Jama block, the dam submerged a third of the paddy-growing dhani land, but people had refused to move. They used whatever compensation they received to make new fields and reconstruct their livelihoods. But in the last three years, due to a rise in the riverbed, lands which were not in the submergence zone are now facing submergence during the monsoon. Due to the layer of sand deposited, they have become unfit for cultivation. And this story is not an isolated one. Villagers in the catchment area now fear a new period of displacement and insecure livelihoods, this time without compensation.

While the problems with compensation and rehabilitation cannot be reversed now, what needs to be addressed is the new displacement occurring due to the reduced capacity of the dam. Frequent flooding and submergence of currently cultivable fields on the one hand, and stoppage of irrigation on the other, are issues that need to be addressed in more than relief terms. They are clearly not one-off events. While the present government has plans to restore the Left Bank Canal and its distributaries and has allocated resources for this purpose, there has been no thinking on the continuing displacement of the downstream villages. If more land is lost due to siltation, will it be compensated and by whom, or will the people be left to fend for themselves?

I next turn to state policies in relation to land reform and restoration and examine how far they are able to address some of the issues raised above.

Land Reform: Distribution and Restoration

Under the programme of land reforms, the government in the Santhal Parganas has two major interventions. The first relates to the distribution of surplus land, both

'bhoodan' (land-gifts, collected under the Land Ceiling Act) and those classified as government wastelands ('gair mazarua khas', now 'anabad'), to those who do not have land. Cash support is to be provided to make this land cultivable. A review of the land distribution in Dumka during 1998–99 reveals several interesting features (see Table 5.1).

First, land distribution is absent in the largely adivasi and forested blocks of Kathikund and Gopikandar. Here, people have reclaimed land from the forests and then got it registered in their names. In a village in Gopikandar block, 18 households got plots of land registered in the year 1992–93 and received material assistance (Rs 500) to make this land productive. One is, however, not sure about how such settlement would be dealt with in light of the DC's order (as settlement officer) of 27 July 2002 that all land that was earlier forest land, including 'jhanti' (scrub and wasteland under community control as per section 27, SPTA), 'rakha' (forest under the control of the landlord/proprietor) and 'sakhu' jungle (sal forest, usually the 'jaherthan' or sacred grove) should be reclaimed for forest uses. Ostensibly in line with the Supreme Court's general order in the Godavarman case (202/95) that no land classified as 'forest' should be used for other purposes, the order requires the cancellation of settlement on all land recorded as 'forests', including village forests and scrub land. By 4 March 2003, the settlement officer reported handing back almost 2000 acres of land to the forest department, though the court order says nothing about transferring the land to the forest department. Though evictions have not yet occurred, and may not be practicable, such a measure exposes the concerned raiyats to potential harassment from the forest department.

TABLE 5.1: Land Distribution in Dumka Subdivision, Dumka District, 1998–99

Sl No.	Block	SC		ST		Backward		Women		Others		Total	
		No	Acre	No	Acre	No	Acre	No	Acre	No	Acre	No	Acre
1	Dumka	56.0	10.4	129	102.6	0.0	0.0	0	0	31	19.0	198	132.0
2	Jama	4.0	1.5	17	6.3	23.0	13.2	0	0	0	0.0	44	21.0
3	Jarmundi	11.0	2.1	7	8.0	8.0	1.0	0	0	1	4.2	20	14.5
4	Sariayahat	0.0	0.0	0	0.0	0.0	0.0	0	0	0	0.0	0	0.0
5	Sikaripara	7.0	4.2	32	16.0	0.0	0.0	0	0	12	7.8	51	28.0
6	Kathikund	0.0	0.0	0	0.0	0.0	0.0	0	0	0	0.0	0	0.0
7	Ramgarh	0.0	0.0	15	6.8	0.0	0.0	0	0	0	0.0	15	6.8
8	Gopikandar	0.0	0.0	0	0.0	0.0	0.0	0	0	0	0.0	0	0.0
9	Raneswar	11.0	22.5	7	9.3	8.0	13.4	0	0	10	14.0	36	59.0
10	Masalia	3.0	1.2	0	0.0	1.0	0.4	0	0	1	0.15	5	1.7
	Dumka SD	92.0	42.0	207	149.1	40.0	27.0	0	0	37	49.1	369	263.2
	Per Cent	24.5	16.0	55	56.0	10.5	10.0	0	0	10	18.0	100	100.0

Source: Records of the Assistant Commissioner (AC) Land, Dumka.

Second, while adivasis have received 56 per cent of the land distributed, per person allotment to the category of 'others' is almost 45 per cent higher.[4] It is true that the non-adivasis are often landless, having come into the area as traders rather than cultivators, but they are not necessarily, therefore, poor. The use of landlessness as a criterion for allocation, apart from revealing a lack of understanding of local social relations, could be potentially socially regressive. It is important to prioritise landless SCs and STs in distribution programmes, before other groups.

Most recently, in 1994–95, in line with the Eighth Plan call to allot 40 per cent of ceiling-surplus land to women, the then DC of Dumka issued an order prioritising women in the distribution of land, but this focus is not reflected in the land distribution data. A related issue is in terms of issuing joint 'pattas' to men and women. Progress in this too has been tardy. Government initiative in terms of redistribution does not seem to have touched women (or the SCs) much in real terms, yet has contributed to the discourse around the legitimacy of women's land claims.

A second priority of the land reform agenda in the Santhal Parganas relates to the restoration of alienated land. The new Jharkhand government has put up a notice to this effect outside the treasury building in Dumka, offering Rs 2,500 as legal aid and Rs 5,000 per acre as support for resuming agriculture on restored land. None of this money has, however, been sanctioned or distributed. As per government records, only 11 cases of alienation have been filed during the year 2003–4. Village visits, however, revealed a widespread problem of land alienation. Lacking resources—time and money—and difficulties of dealing with court procedures, the poor adivasis who have lost their land are unable to make their claims successfully.

Conclusions

The SPTA, 1949, forms the basis for governing land relations and transactions in the Santhal Parganas. Given a history of exploitation by a range of vested interests, resulting in land alienation from the adivasis to the non-adivasis, the act (through Section 20) has sought to protect adivasi rights to land by making all land in the region non-transferable. There are, however, a few exceptions to this clause, primarily in relation to women's land claims. The SPTA also clarifies a range of rights to common property resources, clearly demarcating the role of the headman and village community in this regard.

In the last four years, however, there has been considerable transfer of land through privately negotiated, temporary lease arrangements for stone quarrying and crushing, from adivasis to outside contractors. This has no doubt helped generate local employment, yet has raised issues in relation to the terms of employment, health hazards, the destruction of common property and the long-term implications in terms of the sustainability of local livelihoods. Rather than regulating such mining, in line with its new industrial policy and Vision 2010, the government is supporting such initiatives (Rao 2003). The process adopted seems also to be in gross violation of the Supreme Court's Samatha Judgment (1997).

Lack of maintenance of the Masanjore dam has led to a high rate of siltation and consequently a decline in storage capacity. This has meant depriving the resettled villages of irrigation water, without which they are unable to take a single crop and are forced to migrate in search of wage employment. Upstream too, the back-flow of water has been leading to flooding, rendering cultivable land useless. A systematic review is urgently required to analyse the livelihood problems and initiate suitable strategies.

The land distribution programme of the state has not had a great impact due to several reasons including the small amount of land available for distribution. Village common lands ('gair mazarua aam' and 'khas'), including grazing lands are under community control as per the SPTA, yet in the latest survey operations, they have been classified as 'anabad', that is, uninhabited lands. Though technically the community still has control, the government is overriding such community rights for urban and industrial development purposes.

More than 80 per cent of the population of the Santal Parganas, one-third of them adivasis, are dependent on land and agriculture as their primary source of livelihood. Development policies, therefore, need to prioritise land and natural resource-based sectors of development that have the potential to benefit the majority.

Notes

1. There was a provision from the DC to permit shifting cultivation in the region. The order still exists, though now this is considered illegal and not a right. Cases can, therefore, be filed in such instances. In practice, however, shifting cultivation persists, in the absence of other livelihood options.

2. The Damin-i-koh was the hill tract area demarcated by the British colonisers between 1824 and 1833 as per Resolution dated 17 July 1823 as a protected area. It was to be an exclusive property of the government and all zamindars were to be excluded. It consists of present day Pakur, Sahebganj, Dumka and parts of Godda district.

3. Three bighas make an acre of land.

4. While constituting 10 per cent of the households, they have received 18.5 per cent of the land.

References

Agarwal, B. 1994. *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge: Cambridge University Press.

Consulting Engineering Services (India). 1991. 'Post Facto Evaluation Studies of Completed Irrigation Projects, Bihar: Mayurakshi Irrigation Project'. New Delhi: Final Report for Water Resources Department, Government of Bihar.

McPherson, H. 1909. *Final Report on the Survey and Settlement Operations in the District of Santhal Parganas, 1898–1907*. Calcutta: Bengal Secretariat Book Depot.

Prasad, B. M. 1997. *Santhal Parganas Tenancy Manual*. Patna: Malhotra Bros.

Rao, N. 2003. 'Vision 2010: Chasing Mirages'. *Economic and Political Weekly* 38 (18): 1755–58.

6

Land Distribution among Scheduled Castes and Tribes*

B. B. Mohanty

I

In a country like India, where agriculture is the prime source of livelihood for a vast majority of people living in rural and tribal areas, land continues to be the pivotal property in terms of both income and employment, around which socio-economic privileges and deprivations revolve. Though the members of scheduled castes (SCs) and tribes (STs) mostly reside in the countryside, and derive their livelihood by working on land, they are the most disadvantaged in respect to land. The incidence of landlessness is more pronounced among these groups, the bulk of whom are agricultural labourers having miniscule holdings or are sharecroppers or other types of insecure tenants (Beteille 1972; Murdia 1975; Sharma 1994; Diwakar 1999; Mungekar 1999). A majority of SCs (77 per cent) and STs (90 per cent) are landless, without any productive assets and sustainable employment opportunities.[1] Around 87 per cent of the landholders of SCs and 65 per cent of STs in the country belong to the category of small and marginal farmers (Agricultural Census 1990–91). According to the Census of India, 1991, 64 per cent of SCs' and 36 per cent of STs' main workers are agricultural labourers as against 31 per cent of others. It also reveals that 25 per cent of SCs and 55 per cent of STs are cultivators compared to 40 per cent of others. The poorest among the poor in Indian society are largely from these groups. As per the estimates of the Planning Commission, 48 per cent of the population of SCs and 51 per cent of STs are below the poverty line.[2]

In recognition of the basic proposition that poor land ownership position of the scheduled groups accounts largely for their perpetual poverty and makes them vulnerable to social injustice and exploitation, the government of India has made a systematic endeavour to protect and promote their rights with regard to control and use of land through land reforms and allied measures. Land reforms have been treated as one of the principal instruments for the creation of an egalitarian rural

* *Economic and Political Weekly* 36 (40), 6 October 2001.

society, in tune with the socialistic spirit, as provided in the Preamble and under Part IV of the Constitution (Directive Principles of State Policy). It has also been included in the Ninth Schedule to ensure speedy and unhindered implementation of various legislative measures. However, land reforms being a state subject, the legislative as well as the administrative responsibility devolve on states, and the union government lays down only the general guidelines. Therefore, the nature of legislative measures and their implementation and achievement are likely to vary from state to state because they are influenced by the complex interaction of historical necessities and socio-political and economic forces, which are largely state or region-specific. In such a context, a comprehensive and comparative analysis of the legislative measures of various states relating to the land rights of the scheduled groups, and their consequent effects on land distribution is imperative, as these are issues of the major policy concern. Though the question of control and use of land among the SCs and tribes has not been left entirely out of scientific inquiry, it has received only occasional attention.[3] The non-availability of data on landholdings of these groups was possibly one of the reasons for this gap.

II

Rural Indian society is hierarchical and inequitous, and enmeshed in feudal ethos. In such a society, to be born into a particular social group is to be the bearer of specific rights and obligations and to be involved in a specific pattern of relationship with members of other groups. Both the privileged and the deprived believe that men are born unequal (Nair 1961; Beteille 1974). In the words of Parry (1979: 6), 'the "encompassing ideology" of hierarchy permeates every sphere of social life and even the subordination of the tenant to his landlord and of the subject to his rules is expressed in same symbolic language'. Inequality and domination are treated as the basis of social relationship. The lower castes, as per their place in social hierarchy, are supposed to serve the dominant castes and remain loyal to them. To sustain their aristocratic status, the dominant castes stay aloof from the subject population and its ascribed duties (Lieten and Srivastava 1999: 39). This has been the practice as far back as the history of Indian society can be traced. The tribals, who were initially within a relatively egalitarian and homogeneous social order with a separate socio-cultural and ecological milieu of their own, came under the subservience and dominance of the rich non-tribals in due course through the 'civilising' and 'modernising' effects of colonialism and planning.[4] Viewed in this perspective, SCs and tribes are the historically deprived and backward sections of Indian society who languish at the lower rung of the social and economic pyramid. In a society of this kind, where inequality and domination are deeply frozen in the social structure and in the psyche of the people, it is difficult to uplift and empower the deprived groups through legislative measures because any attempt to exercise the rights created by law is often to challenge the existing order of relations (Beteille 1974). The modes of living, working and the ideology that make up this stratification constitute very real inhibitions and obstacles, and the strength of the system is evidenced by the

unwillingness of the underprivileged and exploited lower strata to challenge them (Myrdal 1972: 41).

Though the SCs and tribes have a combined demographic strength of one-fourth of India's population—which is greater than the population of many countries—they have not been able to emerge as a powerful combination. They continue to be ruled by the dominant elites of the upper castes[5] because of their submissiveness, tolerance and survival-mindedness. The ruling minorities, who find the existing social order beneficial, remain apathetic or lukewarm towards issues concerning the uplift and empowerment of the people at the lower rungs as it tends to challenge their spectral dominance. Though time and again movements have emerged among the scheduled population, they were mostly sporadic, unorganised and fragmented, and were suppressed or diluted by the dominant groups through various strategies (Omvedt 1974; Ranadive 1979; Desai 1979). Nevertheless, many of these movements have enlightened the members of lower castes and tribes and also produced some perceptible changes in agrarian social relations (Patankar and Omvedt 1979; Dhanagare 1983; Kulkarni 1983). Moreover, planning in India, like in other South Asian countries, which is viewed as a 'democratic planning' in popular notion is fundamentally a political programme through which the state tries to impress the masses in order to get their support without much coercion and regimentation (Myrdal 1972: 62). Therefore, the state representing the privileged minorities formulates policies that can concede the demands of the upper strata on the one side and produce ideological effect that is responsive to 'popular will' on the other. To quote Myrdal (1972: 44), '... the South-Asian planners remain in their paradoxical position: on a general and non-committal level they freely and almost passionately proclaim the need for radical social and economic change, whereas in planning their policies they tread most warily in order to not disrupt the traditional social order. And when they do legislate radical institutional reforms ... they permit laws to contain loopholes of all sorts and even let them unenforced.'

Land distribution in India closely follows social hierarchy. While the large landowners invariably belong to the upper castes, the cultivators belong to the middle castes and the agricultural workers largely to the SCs and tribes (Beteille 1972; Sankaran 1996). Land being the important socially valued asset, its unequal distribution helps maintain the hierarchical structure and strengthen the basis of dominance of the privileged groups by perpetuating inequality and deprivation in various socio-economic spheres. Seen from this point, the idea of fair distribution of land directly strikes at the roots of such social relations. Therefore, the upper castes—driven by their landed interests—have opposed the legislative measures with respect to land redistribution through various methods (Joshi 1975; Hiro 1976; Omvedt 1993; Judge 1999). But when the magnitude of resistance of the deprived people challenges the existing order or shows signs of potential threat, the resultant change provokes reform measures. In an insensitive democracy like India, state action is identified with people's action and people's empowerment rests on their collective resistance and agitation. The measures to promote and protect the interests

of the deprived are not usually expected without persistent demands and protracted struggles. Land reforms in India have been launched in response to compelling demands expressed through agitation, struggle and movements (Dhanagare 1983; Radhakrishnan 1989). But, land reform policy being fundamentally a political issue, the state passes legislation only to pacify and neutralise the agrarian tension (Suri and Raghavulu 1996). In order to monitor the implementation of such measures, the existence of strong social movements is crucial. The entrenched dominant landowning privileged groups would never like to surrender their power and privilege without exertion on them of mounting pressure from the deprived people.

Against this backdrop, this article examines the aspects of land distribution among SCs and tribes across the major states.[6] The article has three objectives: (i) to review the legislative measures enacted for the protection and promotion of land rights of scheduled groups and to examine their achievements, (ii) to analyse the changes in land distribution among scheduled groups, and (iii) to find out the causes that hinder or facilitate the improvement of the land ownership position of scheduled groups.

III

British colonialism, through its land revenue policy and elaborate exploitative bureaucratic structure, made land alienable on a large scale especially in tribal areas. The upper caste elites who were dominating each sphere of British administration consolidated their landowning position through the state machinery, de-peasantising the tribals and lower caste peasants. The tribals who were cultivating land and cleaning forest within their customary norms and practices without any experience of landlessness, were compelled to work as labourers in their own land and subjected to various kinds of oppression and exploitation. Gradually it generated strong discontentment and the simmering tensions culminated in rebellions one after another. Among them the Chotanagpur Tribal Revolt (1807–8), Munda Rebellion (1832, 1867–90), Kol Rebellion (1831–32), Santhal Rebellion (1885–86), Rampa Rebellion (1879–90), Madri Kalo Revolt (1898) and others posed a major threat to British administration in India in general and tribal areas in particular. Though many of these movements had religious and social issues, agrarian problems were the principal mobilising force.[7] Resistance of this nature made the British Raj conscious of the rebellious potentialities of the tribals, and ultimately compelled them to initiate some measures to pacify tension in the tribal areas. Possibly as a result of this, the Chotanagpur Tenancy Act, 1908, Central Provinces Land Alienation Act, 1916, Bihar Tenancy Act, 1885 and Bombay Land Revenue Code (Section 73A) were enacted. However, these measures were formally undertaken only to suppress the tribal agitation and the British did not show any interest in its proper implementation because the provisions of these acts were affecting the interests of the upper-caste elites who were mostly landlords, moneylenders, zamindars and other intermediaries of various kinds and the main agents of British administration in India. Despite the provision for prevention of land transfers from

tribals to non-tribals, land alienation through debt mechanism, tenancy and other dishonest practices continued unabated in many parts of tribal India (Haimendorf 1945; Patnaik 1971; Rao 1987; Mohanty 1997).

The tribal movements that began in the first part of the twentieth century were mostly agrarian in nature. The Srirama Raju's Uprising (1922–24) in West Godavari, Gond Revolt (1940) in Adilabad and the Telengana Revolt (1946–51) in Nalgonda, Karimnagar and Warangal districts of Andhra Pradesh, Warli movement (1946–48) in Thane district of Maharashtra, Santhal Agitation (1937–40) in Purnea, Bihar, the Munda Rising (1936–39) in Sundergarh, Orissa and the Jharkhand movement that spread over the major tribal districts in Bihar, Orissa, West Bengal and Madhya Pradesh revolved around the issues relating to land alienation and exploitation by non-tribal landlords and moneylenders. Apart from this, the Halipratha movement (1920–48) in Bulsar, Surat and Bharuch districts of Gujurat against the patidars and kanbi landlords, Tenants Struggle (1920–21 and 1930–35) in Pratapgarh, Rae Bareli, Faizabad and Sultanpur districts of UP against the Mahajans, Banias and landed aristocracies, the Tanjore Revolt (1946–49) of Tamil Nadu against the higher caste landed gentry, the Tebhaga Movement (1946–47) in Jalpaiguri, Dinajpur, Malda Rangpur, Midnapur and 24 Parganas of West Bengal against the landlords and the Kishan Sabha activities in Andhra Pradesh, Bihar, West Bengal and other states put mounting pressure on the state to protect and promote the land rights of the poor tribals and lower caste peasants (Ekka and Danda 1979; Das 1983; Dhanagare 1983). Dhanagare's study (1983) on important peasant movements in India confirms this firmly when he says '... each of the movements that we have examined was followed by some legislative or ameliorative measures. Some legal reforms, some modifications in the structure of land control, always followed peasant resistance'. Besides, the social reform movements with anti-Brahminical overtones led by E. V. Ramaswamy Periyar in Tamil Nadu, Narayan Guru in Kerala, Jyotiba Phule and Ambedkar in Maharashtra and Sant Ramdas in UP provided the lower castes with a distinct identity and awakened the government to recognise the rights of these deprived groups and to undertake measures for the removal of social injustice and exploitation (Patankar and Omvedt 1979; Ranadive 1979; Ram 1979).

As a consequence, land reforms became a necessary part of the process of national planning for the emancipation of these deprived people. All states without exception started showing interest in land redistribution, and formulated their own legislative measures to allot land as well to protect it from being transferred to non-scheduled groups. It is rightly commented that in the post-independence period, India was subjected to the largest body of land reform legislation ever to have been passed in so short a period in any country (Thorner 1976: 18). A statewise list of legislative measures and executive orders for the protection and promotion of land rights of SCs and tribes is illustrated in Table 6.1. An analysis reveals that in many states the measures undertaken to check alienation have not been adequately framed. Though provisions have been made to prevent land transfers from scheduled groups to non-scheduled groups, in many states (for example, Orissa, Madhya Pradesh, Rajasthan, Gujarat and Kerala) such transfers can be made with prior permission

TABLE 6.1: Agrarian Legislation for Protection and Promotion of Land Rights of Scheduled Castes and Scheduled Tribes

States	Legislative Measures	Description
Andhra Pradesh	The Agency Tracts Interest and Land Transfer Act, 1917.	Checks transfers of land in the agency tracts in the then composite state of Madras.
	The Andhra Pradesh Scheduled Areas and Land Transfer Regulation, 1959 (Amended in 1963).	Makes all transfers of ST land without the previous sanction of competent authority null and void.
	The Andhra Pradesh scheduled Areas Land (Extension and Amendment) Regulation, 1963.	Extends to scheduled areas of Telangana region. Till then it covered the scheduled areas of the Andhra region.
Bihar	Bihar Tenancy Act, 1885.	Prohibits transfer of land by certain aboriginal tenure holders, 'raiyats' or under raiyats.
	Chotanagpur Tenancy Act, 1908, Santal Parganas Act, 1949.	Prevent transfer of land of STs, SCs and OBCs.
	Bihar Scheduled Areas	Restores the illegally alienated land beyond 12 years but within 30 years of its alienation.
	Regulations, 1969.	The government has issued instructions to allot waste or vacant lands in 'khasmahal' or acquired zamindaris to SCs, STs and OBC.
Gujarat	Bombay Land Revenue Code, 1879 (Section 73A).	Prohibits transfer of land held by members of STs without the permission of the collector.
	The state government added more provisions in Bombay L R Code,1879 vide the Bombay Land Revenue Act, 1980.	Restricts the transfers of occupancies of STs all over the state. The SCs and STs are given high priority in the grant of waste lands.
Karnataka	Hyderabad Tenancy and Agricultural Land Act, 1950.	Provides security of land tenure to all agricultural tenants, including SCs and STs. In Coorgs area, the executive measures make provisions to transfer land permanently to SC and ST tenants, if they have been in the occupation for 12 years. The state government prohibits the alienation of lands allotted to SCs and STs for 35 years without its permission.
	Mysore Land Revenue (Amendment) Rule, 1960.	Assigns land to members of SCs and STs and the land so assigned cannot be alienated for 15 years without the permission of the state government. Fifty per cent of the available land for allotment is reserved for SCs and STs.
	Scheduled Castes and Scheduled Tribes (Prohibition of transfer of certain lands) Act, 1978 (Act No. 2 of 1978).	Prohibits alienation of lands granted under the Land Grant Rules, to persons belonging to SCs and STs and provides for resumption of such alienated lands and imposes penalty on the purchasers (up to six months or fine of Rs 200 or both).

(Contd)

Table 6.1 (Contd)

States	Legislative Measures	Description
Kerala	Kerala Scheduled Tribes (Restriction on Transfer of Lands and Restoration of Alienated Lands) Act, 1973, (came into force from January 1, 1982).	Prohibits the alienation of land by STs to non-STs.
	Kerala Arable Forest Land Assignment Rules, 1970.	States that land assigned is inheritable but not alienable for a period of five years from the date of assignment. One-third of the available land in each district should be allotted to the members of SC and ST.
	Kerala Land Assignment Rules,1964.	Provides that members of SC can transfer their land to both SC and ST but ST can transfer only to ST with the prior permission of concerned authority. Twenty-five per cent of land available for assignment is allotted to SCs and STs.
Madhya Pradesh	Central Provinces Land Alienation Act, 1916.	Checks the unwanted transfer of land of STs.
	Madhya Bharat Scheduled Areas (Allotment and Transfer of Land) Regulation, 1954 (applicable to Madhya Bharat region only).	Restricts transfer of land of ST to non-ST without the prior permission of Collect or by way of sale, mortgage, lease or otherwise. The SCs and STs have been given third and fourth priority, respectively for the allotment of government land among the landless. Freedom fighters and army personnel have been given first and second priority respectively.
	Madhya Pradesh Land Revenue Codes, 1959.	Provides protection to STs against alienation of their lands.
Maharash-tra	The Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974.	Restores agricultural land of scheduled tribe person involved in illegal transfer to a non-scheduled tribal effected any time before July 6, 1974.
	The Maharashtra Restoration of Land to the Scheduled Tribes Act, 1974; Maharashtra Land Revenue Code 1966 (Section 36); Bombay Tenancy and Agricultural Lands Act 1948; Bombay Tenancy and Assignment Lands Act (Vidarbha Region) Act, 1958; Hyderabad Tenancy and Agricultural Lands Act, 1950.	Make provisions for restoration of agricultural land of STs lawfully transferred to a non-ST by way of sale mortgage, gift, etc, between April 1, 1957 and July 6, 1974. The government issued executive orders on January 4, 1961, for the disposal of land among SCs and STs as the first and second priority respectively. But in areas other than scheduled areas they have been accorded only seventh priority. Prohibit the transfer of agricultural land of SC and ST person by sale, gift, mortgage, etc, in favour of non-sheduled groups.

(Contd)

Table 6.1 (Contd)

States	Legislative Measures	Description
Orissa	Orissa Scheduled Areas Transfer of Immovable Property (by Scheduled Tribes) Regulation, 1956 amended in 1963.	Prohibits transfer of lands from members of STs to non-STs in the scheduled areas.
	Orissa Land Reform Act 1960 (amended in 1973).	Restricts STs and SCs to sell their land to non-SCs and non-STs unless permitted by the sub-divisional officer.
	Executive Measure (there is no legislation relating to the allotment of land to SCs and STs)	The Government has issued notifications for the settlement and lease of waste and encroached lands in the state in which SC and ST have been given first and second priority respectively. They are required to file applications before the local tahsildars for the allotment of such lands.
Punjab@	Not available	The government of Punjab has issued orders banning transfer of land belonging to SCs. All types of surplus evacuee lands are disposed of through restricted auction to the members of SCs.
Rajasthan	Rajasthan Tenancy Act, 1955	Prohibits transfer of land from SCs and STs to non-STs without permission from competent authority. Land if transferred to others can be restored provided it is brought to the notice of the government within three years.
	Rajasthan Registration (Adoption Amendment) Ordinance,1975.	A notification has been issued under the ordinance that transfer of agricultural holdings from STs to non-STs or from a SC to a non-SC person is against public policy.
	Rajasthan Land Revenue (allotment of land for agricultural purpose) Rules,1957	Reserves 25 per cent of the available land for allotment to SC, ST and OBC.
	Rajasthan Bhoodan Yagna Act, 1954	Makes available one-third of the land for distribution to the members of SC/ ST.
Tamil Nadu*	The Holdings (stay of Execution Proceedings) Act,1950.	Protects STs rights in land and contains provisions for assignment of land to hill tribes. Landless poor Harijans are eligible for assignment of cultivable wasteland up to 5 acres in case of dryland and 2.5 acres in case of wetlands. STs are assigned a maximum of 10 acres of dry land and 5 acres of wetland in hilly tracts if sufficient land is available. Land assigned to the SCs cannot be alienated for 10 years and thereafter it can be transferred to SCs only.

(Contd)

Table 6.1 (Contd)

States	Legislative Measures	Description
Uttar Pradesh	Uttar Pradesh Zamindari Abolition and Land Rules Act, 1950 (amended in 1969)	Restricts the transfer of lands of the members of STs to members of non-STs by way of sale, gift, mortgage or lease without the prior permission of the collector.
	Section 198 and Rule 174-A of Zamindari Abolition and Land Reforms Act,1952.	Gives priority to SCs in land allotment.
	Section 1(A) and Rule 24A(2) of UP Consolidation of Holdings Act, 1953; Sections 27 and 28 of the UP Imposition of Ceilings of Land Holdings Act,1960.	Make provisions for the allotment of surplus land to the SCs.
West Bengal	The Bengal Tenancy Act, 1885.	Restricts transfer of land of an aboriginal tenure holder, 'raiyat' or under raiyat by private sale, gift, mortgage, lease or any contract or agreement unless it is transferred to another tribal included in the list. It gives priorities to SCs and STs holding not more than 2 acres of land for the distribution of government lands including khas land.
	West Bengal Land Reform Act 1955 (amended from time to time).	Imposes restrictions on the alienation of lands of STs and makes provision for its restoration.

Notes: [a]Information on legislative measures not available. The cited information is provided in Murdia (1975).
[b]In Tamil Nadu, there is no special legislative measure to provide protection to SCs and STs against alienation of land and to give preferential treatment in the allotment of land.

Sources: M. L. Patel, *Changing Land Problems of Tribal India*. Bhopal: Progress Publishers, 1974; S. N. Dubey et al. *Land Alienation and Restoration in Tribal Communities in India*, Bombay: Himalaya Publishing House, 1977; *Report of the Commissioner for Scheduled Castes and Scheduled Tribes*, Various Issues.

from a competent authority (collector, sub-divisional officer, among others), which ultimately left the implementation of these measures to the discretion of the bureaucrats. This also made the bureaucrats more powerful. It has also been pointed out[8] that the rich upper castes do not find any difficulty in getting the permission of the concerned officials, and sometimes the members of scheduled groups are required to spend a sum of money for the purpose. Similarly, in Maharashtra, for example, land under new tenure could be leased out if the government is satisfied that the owner is physically incapable of tilling it. It is found that many big landowners produced medical certificates purporting to establish the incapability of tribals to cultivate their land and managed to get these lands on lease for fixed periods, after which land is seldom returned to the tribals (Murdia 1975). In Rajasthan, as per the Rajasthan Tenancy Act, land belonging to scheduled groups, if transferred to non-scheduled groups, can be restored provided it is brought to the notice of the government within 12 years (earlier it was only three years). As a result, the powerful landowners suppressed the facts through various means up to the restricted time period. There is a rare legislative provision to check the informal land transfers. Provisions are only limited to the legal ownership rights. In many cases though the land is owned by a tribal it is occupied and cultivated by non-tribals. The tribals, because of their ignorance and lack of awareness of land laws, accept the claims of the dominant non-tribals. In spite of the legislative and executive measures taken by various state governments, alienation of tribal land is reported by many studies (Pathy 1984; Haimendrof 1982; Rao 1987; Patel 1974; Mohanty 1997).

The data on alienation and restoration of tribal lands in some states is depicted in Table 6.2. It is found that in Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh and Maharashtra land alienation among the tribals is remarkably higher

Table 6.2: Information on Alienation and Restoration of Tribal Lands (as of November, 1999)

States	No of Cases Filed in Court		Per Cent of Cases Rejected		Per Cent of Cases Decided in Favour of Tribals		Per Cent of Cases Pending in Court	
	No	Area (acres)	No	Area (acres)	No	Area (acres)	No	Area (acres)
AP	65875	287776	48.18	52.20	40.19	36.91	11.63	10.88
Bihar	86291	104893	36.95	47.41	51.72	43.30	11.33	9.29
Gujarat	47926	140324	0.25	0.35	84.05	85.65	15.70	13.99
Karnataka	42582	130373	39.19	36.17	51.28	52.05	9.54	11.78
MP	53806	158398	55.05	61.32	NA	NA	44.95	38.68
Maharashtra	45634	NA	54.08	NA	43.70	NA	2.21	NA
Orissa	1431	1712	10.62	11.92	30.89	35.75	58.49	52.34
Rajasthan	651	2300	8.14	8.13	28.73	25.52	63.13	66.35

Source: Government of India, *Annual Report 1999–2000*, New Delhi: Ministry of Rural Development, Government of India, 1999–2000.

both in terms of area and number. Excepting Gujarat, in other states a large number of registered land alienation cases have been rejected and many of them are also pending in court. While in Rajasthan 29 per cent of the registered cases have been decided in favour of tribals, in Orissa it is 31 per cent. Moreover, many of the land alienation cases are also unreported and unregistered. In states like Orissa, where the tribals and lower caste peasants are backward on many counts, land alienation is widespread. There are a number of villages in tribal Orissa, where all the villagers are landless. For example, the entire land in a village in Koraput district is owned by a Keralite who operates a business farm in Thiruvananthapuram and the management of the land is left to a non-tribal middleman (Mohanty 1997: 7).

The measures relating to allotment of land to SCs and tribes are also inadequate. It is true that many states give preference to scheduled groups in the distribution of surplus land or government wasteland. But, in some states the preference is limited to scheduled areas. For example, in Maharashtra, these categories have been accorded only the seventh priority in areas other than scheduled ones. On the other hand, Madhya Pradesh gives first priority to freedom fighters and army personnel and the SCs and STs have been given third and fourth priority. In Rajasthan, only 25 per cent of the available land is reserved for scheduled groups. In Punjab, though the allotment is made exclusively to SCs, it depends upon their financial condition whether they avail such facility because land was disposed of through auction. Added to this, the procedures followed by most state governments require the eligible persons to submit their applications in the prescribed form to the concerned officers. In many places the members of SCs and tribes are not aware of the procedures and formalities and being illiterate they find difficulty in filling the forms.

The availability of ceiling surplus land and its proper distribution is one of the major routes through which SCs and tribes can improve their holding position. Though there is a national guideline, each state has fixed its own ceiling limits keeping in view 'local' considerations (see Table 6.3). While some states have fixed the limit for various types of land uniformly for all districts, in states like Bihar, Andhra Pradesh, Gujarat, Karnataka and Kerala it varies depending upon the 'local' agro-climatic conditions. West Bengal and Kerala have the lowest ceiling limits. On the other hand, Rajasthan has highest limit, which is justified for its 'hilly terrain and desert area'. Moreover, except West Bengal, ceiling limits in all other states are dependent upon crop potential. This kind of fixation of ceiling limit creates enormous difficulty in the appropriate categorisation of land which gives ample scope to the dominant big landowners to avoid the ceiling laws by wrongly categorising the land in connivance with local officials (Deshpande 1998). It is also reported from several parts of the country[9] that the large landholders have avoided the ceiling laws by partitioning their families in the land record while cultivating the land jointly.

Following the implementation of ceiling laws, each state has declared surplus land and tried to distribute it to the landless (see Table 6.4). The ceiling surplus land is remarkably higher in West Bengal, which is largely due to its lower limits.

TABLE 6.3: Ceiling Limits on Landholdings
(in hectares)

	Irrigated with Two Crops	Irrigated with One Crop	Dry Land
A Suggested in national guidelines of 1972	4.05 to 7.28	10.93	21.85
B Actual Ceilings			
States			
AP	4.05 to 7.28	6.07 to 10.93	14.16 to 21.85
Bihar	6.07 to 7.28	10.12	12.14 to 18.21
Gujarat	4.05 to 7.29	6.07 to 10.93	8.09 to 21.85
Karnataka	4.05 to 8.10	10.12 to 12.14	21.85
Kerala	4.86 to 6.07	4.86 to 6.07	4.86 to 6.07
MP	7.28	10.93	21.85
Maharashtra	7.28	10.93	21.85
Orissa	4.05	6.07	12.14 to 18.21
Punjab	7.00	11.00	20.50
Rajasthan	7.28	10.93	21.85 to 70.82
Tamil Nadu	4.86	12.14	24.28
UP	7.30	10.95	18.25
West Bengal	5.00	5.00	7.00

Source: Government of India, *Agricultural Statistics at a Glance*, New Delhi: Government of India, *1993*.

TABLE 6.4: Progress in Implementation of Ceiling Laws
(as of March, 1996)

States	Area Declared Surplus (acres)	Percentage of Area Taken Possession	Percentage of Area Distributed to Area Declared Surplus Possession	Beneficiaries (Per Cent)					
				Number			Area		
				SC	ST	Others	SC	ST	Others
AP	800240	78.91	70.87	41.54	15.58	42.88	39.67	20.75	39.58
Bihar	488257	81.45	62.03	61.70	11.38	26.93	59.09	12.97	27.94
Gujarat	231172	68.76	57.65	44.38	39.75	15.87	62.13	21.85	16.03
Karnataka	280779	59.11	42.29	60.33	3.10	36.57	60.72	3.05	36.22
Kerala	137692	68.85	46.69	42.85	5.12	52.03	39.20	8.03	52.77
MP	338555	88.30	54.71	29.85	37.43	32.73	26.68	39.70	33.62
Maharashtra	729644	90.93	76.05	29.84	20.78	49.38	29.14	17.65	53.20
Orissa	176569	93.57	87.11	33.93	37.25	28.82	31.80	41.92	26.27

(Contd)

Table 6.4 (Contd)

States	Area Declared Surplus (acres)	Percentage of Area Taken Possession	Percentage of Area Distributed to Area Declared Surplus Possession	Beneficiaries (Per Cent)					
				Number			Area		
				SC	ST	Others	SC	ST	Others
Punjab	132594	79.09	77.84	39.95	–	60.05	42.53	–	57.47
Rajasthan	600987	92.88	75.13	41.90	1.25	56.85	32.14	9.77	58.09
Tamil Nadu	191311	89.44	83.29	44.16	0.14	55.71	38.38	0.15	61.47
UP	555350	93.84	69.13	69.33	0.23	30.43	67.56	0.38	32.06
West Bengal	1270965	94.57	75.66	37.22	19.51	43.27	37.24	19.37	43.39
All India	7884132	83.68	65.85	36.20	14.08	49.71	35.60	14.40	50.00

Source: National Institute of Rural Development, *Rural Development Statistics*, Hyderabad: National Institute of Rural Development, *1999*.

In many states a significant proportion of surplus land has not been taken under possession. In Karnataka, only 59 per cent of the surplus area has come under possession. In almost all the states a considerable part of the area which has been taken under possession is not distributed. While in Karnataka only 42 per cent of the area declared surplus has been distributed, in Kerala it comes to 47 per cent. Apart from this, though the national guideline suggests that 50 per cent of the land to be distributed through land reform measures should be made available to SC and ST beneficiaries, the distribution pattern in states like Tamil Nadu, Rajasthan, Punjab, Maharashtra and Kerala reveals a bias in favour of non-scheduled groups. Of course, in Kerala, the population of SCs and STs is much lower than in other states (10 per cent, see Table 6.5). But in states like Rajasthan and Punjab where the population of scheduled groups comes to around 30 per cent, the percentage of allotted land is much lower. It is also reported that in many places 'pattas' are not issued to them even after several years of allotment of land (Murdia 1975: 1211), which invariably leads to several kinds of litigation. Even land already distributed had to be denotified in many cases, causing considerable hardship to the assignees who had invested their resources.[10]

Looking at the reasons why the surplus area is not available for distribution (see Table 6.6), it is found that litigation withholds a major part of the land in almost all the states. Sizeable areas in Karnataka, Gujarat, Punjab, Andhra Pradesh, Tamil Nadu, Madhya Pradesh, Orissa and West Bengal have gone out of the total quantum of surplus land as a result of court decisions. It is disheartening to note that a significant portion of the area declared as ceiling surplus in many states is either unfit for cultivation or not available for distribution due to 'miscellaneous reasons'. Of the area not available for distribution, 57 per cent is unfit for cultivation in Uttar Pradesh and 41 per cent in Bihar accounts for 'miscellaneous reasons'.

TABLE 6.5: Distribution of Scheduled Castes and Scheduled Tribes Population
(Per cent)

States	Scheduled Castes		Scheduled Tribes	
	1981	1991	1981	1991
AP	14.87	15.93	5.93	6.31
Bihar	14.51	14.56	8.31	7.66
Gujarat	7.15	7.41	14.23	14.92
Karnataka	15.07	16.38	4.91	4.26
Kerala	10.01	9.12	1.03	1.10
MP	14.10	14.54	22.97	23.27
Maharashtra	7.14	11.10	9.19	9.27
Orissa	14.66	16.20	22.43	22.21
Punjab	26.87	28.31	–	–
Rajasthan	17.04	17.29	12.21	12.44
Tamil Nadu	18.35	19.18	1.07	1.03
UP	21.16	21.04	0.21	0.21
West Bengal	21.99	23.62	5.62	5.60
India*	15.81	16.73	7.83	7.95

Note: *Excludes Assam and Jammu and Kashmir.
Sources: Census of India, 1991: Primary Census Abstract Scheduled Castes, Series-I, Part II-B (ii); Census of India, 1991: Primary Census Abstract Scheduled Tribe Population Series I, Part II- B (iii).

The land obtained and distributed through the Bhoodan movement initiated by Vinoba Bhave provides some interesting information (see Table 6.7). Though a sizeable amount of land was available under the scheme in some states, a large amount of this land is not distributed. In Andhra Pradesh, Bihar, Orissa and Maharashtra the proportion of land allotted was only 47.14, 25.71, 12.39 and 0.69 per cent respectively. It is rightly commented that land amounting to only 0.27 per cent of India's 320 million acres of cultivable area were actually distributed, and some of it had been donated by poor farmers themselves.[11] The religious content[12] of the Bhoodan movement appealed to many of the religiously oriented poor rural Indians to contribute their small holdings. More than 43 per cent of land collected through this scheme (up to March 1968) from various states had been found either unsuitable for cultivation or under dispute (Murdia 1975: 1211). It was also found that in some regions many of the persons who were reported to have donated lands refused later (Vyasulu 1985: 65; Francis 1996: 60). The donated lands were by and large of inferior types requiring substantial investment to make them worthy of cultivation (Tai 1974: 14; Mohapatro 1987: 17).

TABLE 6.6: Reasonwise Area Not Available for Distribution
(as of March, 1996)
(Per cent)

States	Area Involved in Litigation	Area Reserved for Public Purpose	Area Unfit for Cultivation	Area Not Available for Miscellaneous Reasons	Total
AP	68.51	10.00	4.57	16.92	100.00
Bihar	47.94	0.98	10.22	40.86	100.00
Gujarat	85.44	12.36	2.19	–	100.00
Karnataka	92.21	6.77	1.02	–	100.00
Kerala	39.60	28.80	–	31.60	100.00
MP	63.24	19.47	13.31	3.98	100.00
Maharashtra	20.00	57.59	10.29	12.12	100.00
Orissa	58.57	13.03	8.02	20.38	100.00
Punjab	85.45	–	–	14.55	100.00
Rajasthan	51.36	48.64	–	–	100.00
Tamil Nadu	67.45	32.55	–	–	100.00
UP	33.10	7.66	56.57	2.67	100.00
West Bengal	56.82	25.31	17.87	–	100.00
All India	48.02	21.26	20.80	9.92	100.00

Source: Same as in Table 6.4.

TABLE 6.7: Allotment of Bhoodan Land

States	Total Land Received (acres)	Percentage of Land Allotted	Beneficiaries					
			Number			Area		
			SC	ST	Others	SC	ST	Others
AP (as on December 31, 1981)	195509	47.14	35.91	8.36	55.73	28.52	14.33	57.15
Bihar (as on March 21, 1981)	2117756	25.71	27.83	22.91	49.26	29.28	29.60	41.12
Punjab (as on March 31, 1981)	9801	100.00	84.70	–	15.30	95.30	–	4.70
Maharashtra (as on March 31, 1981)	88462	0.69	56.83	18.06	21.11	57.17	15.80	27.04
Orissa (as on March 31, 1981)	1346966	12.39	21.77	45.63	32.60	22.56	58.01	19.44

Source: Report of the Commissioner for Scheduled Castes and Scheduled Tribes, April 1980–March 1981.

It appears, as pointed out by a number of studies (Appu 1996; Mearns 1998; Patel 1974; Deshpande 1998; Murdia 1975), that the inherent loopholes and ambiguities in the legislative measures, slow proceedings at all levels of bureaucracy, lack of updated land records, the ignorance and illiteracy of the scheduled population and the escaping attitude of the large landowners are the major reasons that hinder fair distribution of land by allowing the bulk of landowners to avoid expropriation. Even a slow process of passing of the land to the SCs and tribes and its resultant upliftment becomes intolerable and non-acceptable to the dominant groups. They resist the allotment of land by committing atrocities on members of SCs and tribes through well organised groups, like the Ranvir Sena, Brahmarsi Sena, Bhumi Sena and Lorik Sena. In Bihar, a number of Dalits have been killed by the Ranvir Sena alone in recent years owing to issues relating to land allotment (Diwakar 1999: 75). Evidence of this type of inclement resistance abounds across the states. Because of this problem the poor scheduled caste and tribe person finds it difficult to occupy the land after allotment. While describing the situation in Andhra Pradesh, Sankaran (1996: 23) writes, 'Even after the land is allotted to the poor, ensuring physical possession of it becomes a major problem, for the landlords often thwart the efforts of the poor by involving them in litigation or used threats or other coercive methods in preventing them from cultivating the land allotted to them'. Sometimes small and unorganised groups, with the tacit approbation of the powerful upper-caste landowners forcibly grab the allotted land or throw the members of SCs and tribes out of their encroached wasteland or evict them from the leased lands through atrocities ranging from setting fire to their huts to brutal murders mostly in league with the police and the administration. Many such cases are reported from Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh.[13]

IV

The analysis of changes in the operated area among the scheduled groups would explain in more detail the achievements of land reform measures and the emerging pattern of land distribution. However, as data on operational holdings of scheduled communities is available only from 1980–81 to 1990–91, it is difficult to assess the impact of legislative measures entirely because many of these measures were undertaken in the late 1960s and early 1970s. Besides, the effects of land transfers through market mechanism also cannot be ignored.[14] Nevertheless, the trend of operational holdings (see Table 6.8) will make the analysis of the aspects of land distribution more meaningful.

Looking at the area operated during 1980–81 and 1990–91, it is found that the landholding position of these communities has not improved considerably even after more than five decades of planned efforts and initiatives. In many states the number of holdings and area operated by the SCs and STs is poor compared with their demographic strength (see Table 6.5). However, in West Bengal, though the progress between 1980–81 and 1990–91 was negligible, the landholding position of scheduled groups both in terms of area as well as number is much better than any other state. The SCs constituting 23 per cent of the state's population, control more

TABLE 6.8: Distribution of Operational Holdings among Scheduled Castes and Scheduled Tribes
(Per cent)

States	Scheduled Castes				Scheduled Tribes			
	Number		Area		Number		Area	
	1980–81	1990–91	1980–81	1990–91	1980–81	1990–91	1980–81	1990–91
AP	12.62	12.70	6.87	7.50	6.42	6.90	6.29	7.20
Bihar	8.16	11.60	4.51	5.20	7.54	7.80	16.25	16.10
Gujarat	4.06	4.10	3.08	3.20	10.92	11.00	8.05	9.10
Karnataka	8.49	11.00	5.99	8.10	3.71	4.90	3.47	5.00
Kerala	8.54	9.60	2.44	2.80	0.98	1.20	1.50	1.90
MP	12.85	12.60	7.93	8.10	25.11	24.70	24.84	25.20
Maharashtra	6.81	8.00	4.48	6.00	6.02	6.70	6.08	7.30
Orissa	12.17	13.70	7.86	8.60	27.58	26.60	29.90	28.70
Punjab	5.00	4.80	2.54	2.40	0.00	0.00	0.00	0.00
Rajasthan	14.26	14.70	11.31	11.70	15.36	15.40	8.35	8.40
Tamil Nadu	7.84	11.30	4.92	7.10	0.67	0.80	1.01	1.20
UP	14.77	16.40	9.24	10.50	0.16	0.20	0.28	0.30
West Bengal	23.58	23.20	19.37	19.70	7.08	7.30	6.59	7.00
All India	11.31	12.50	7.03	7.90	7.71	8.10	10.20	10.80

Note: Figures are in per cent to the total number and area operated of each state.
Source: Agricultural Census Reports. Figures for 1990–91 taken from *Agricultural Situation in India.*

than 23 per cent of holdings covering 20 per cent of the operated area. Similarly, the tribals are also well ahead of their counterparts in other states. The success is largely attributed to the Tebhaga movement and the Naxalbari movement that spread across the districts and the consequent activities of a left-of-centre party. Though these movements were not explicitly directed against the upper castes, it could combine the landless and poor people in the rural areas through a common forum against the propertied class and the local landed power holders who were mostly from upper castes (Mukherji 1987; Dasgupta 1973). The emerging situation generated tremendous awareness among the deprived people of their own rights vis-a-vis the caste and class enemies. The level of political mobilisation as well as participation by the lower castes in this state is higher than elsewhere (Harriss 1999).

The states where the share of scheduled groups to total area operated is less compared with their population but have shown a noticeable improvement over the years are Tamil Nadu, Maharashtra and Karnataka. Tamil Nadu, with 19 per cent of SCs population has provided only 7 per cent of its operated area (1990–91) to these communities and compared with 1980–81, it has increased by more than 2 per cent. Likewise, in Karnataka, though the SCs, constituting 16 per cent of the state's population control only 8 per cent of the operated area, both the number and area have increased by almost 3 per cent in the past 10 years. The position of STs has also improved considerably. Similarly, compared with their population,[15] the

operated area of SCs in Maharashtra is also less but it has increased from 4 per cent in 1980–81 to 6 per cent in 1990–91. During this period, the operated area of the STs also increased by more than 1 per cent.

The improvement of landholding position of scheduled groups in Tamil Nadu is primarily due to the fact that the upper caste dominance in the state has effectively been challenged. Periyar's Self Respect movement and the subsequent Dravidian movement led by DMK (Dravida Munnetra Kazhagam), a regional party which propagated Tamil cultural nationalism, successfully mobilised the lower castes against the dominant upper castes. The achievement in Karnataka is also due to the emergence of strong Dalit movements. The districts that are included to Karnataka from Madras presidency had exposure to a non-Brahmin movement, which was based on a wider mass mobilisation (Pani 1998: 68). The Dalit movement in Karnataka systematically started in 1968 with the emergence of Bheem Sena under the leadership of Shyam Sunder, which went to the extent of demanding a separate land for untouchables called 'Dalitstan' (Shyam Sunder 1987: 13–15 as cited in Yadav 1998). The subsequent leadership of Basavalingappa mobilised the lower castes effectively (Yadav 1998: 115). The Dalit agitation against their oppressors in Karnataka became more active from 1973 with the emergence of Dalit Sangharsha Samiti, a forum which educated and organised the Dalits. It became organisationally the strongest and most long-lasting Dalit movement in the country (Omvedt 1974: 337). Similarly, Maharashtra's better performance is attributed to the lower castes and tribal movements (Kulkarni 1983; Rajasekaran 1998). Though the Satyashodhak Samaj movement was started on a social issue, it subsequently extended its coverage to the inequality in the distribution of land. The mass mobilisation by Ambedkar and the recent efforts of the Republican Party of India challenged the dominance of the upper castes and ascertained the rights of the SCs. Besides, the organised agitations of Bhil tribals in Dhule and Gadchiroli districts under the banner of Shramik Sanghatana movement during 1970–74 against tribal land alienation and the Varli movement of Koli tribals in Thane district against serf-tenure contributed towards the improvement in the proportion of operated area among the STs in the state.

Andhra Pradesh, Gujarat and Uttar Pradesh report a slow process of improvement despite their poor landholding position of scheduled castes and tribes. The SCs, with 16 per cent of the state's population control only 7.5 per cent of the operated area in Andhra Pradesh. Compared with 1980–81, in 1990–91 the increase is less than 0.5 per cent. However, the state shows a relatively better result in the case of STs, which can be attributed to the historic Telengana movement and the contemporary Naxalite movement in the tribal pockets. The slow progress with regard to SCs is mainly due to the persistent dominance of forward castes in the state. The reason seems to be the absence of a strong and independent lower caste movement in the state. Though there were some protests like Adi-Andhra movement in some parts of coastal Andhra such as Rajahmundry, East Godavari, Vijayawada and they faded away after the late 1940s. The early peasant organisations like Kisan Sabha also did not project caste as a special issue in the distribution of land (Omvedt 1994: 288). Though a few backward class movements such as Munnuru Kapu movement and the Padmasali movement, under the leadership of Bojjam Nrasimlu and Konda Lakshman Bapuji, were launched

in the Hyderabad state, after the formation of Andhra Pradesh, however, they were merged into one and came to be known as the Andhra Pradesh Backward Classes Association. They largely confined their agitation to reservation issues. The forward castes continue to dominate the society and politics of Andhra Pradesh (Reddy 1989; Harriss 1999). The same could be said for Gujarat. Here the grip of the upper castes (Brahmins, Banias and Kshatriyas) has remained strong and their dominance extends over wide areas (Wood 1984; Rutten 1995; Harriss 1999). Ghanshyam Shah rightly observed on Gujarat, 'While different classes cutting across caste boundaries are being formed, class consciousness as such is yet to develop. This situation works in favour of the upper classes of the dominant castes in perpetuating their hold over society' (1998: 265). He also pointed out that legislations were not rigorously implemented in Gujarat because of the implicit interference by the patidar and Bania-Brahmin landlords who otherwise would have been adversely affected (ibid.: 233).

The rate of improvement in the land-holding position of the scheduled groups in Uttar Pradesh is relatively better than these two states. With a population of 21 per cent, the SCs operated 10.5 per cent of the area in 1990–91 as against 9.2 per cent in 1980–81. This comparatively better achievement was possible because the SCs are relatively organised in this state through the Dalit-based political parties like the Bahujan Samaj Party (Omvedt 1998; Duncan 1999). Bihar and Uttar Pradesh are the core states of the Hindi heartland, where the upper castes are more numerous and have a strong dominance. Any measure in these states that aims for the uplift of the lower castes is challenged by the upper castes. This is one of the reasons why adoption of the recommendations of the Backward Classes Commission by the V. P. Singh government in 1990 witnessed violent protests in these states. The allotment of land to backward communities in these states leads to several atrocities on them by the powerful among the rural oligarchy.

The strong dominance and organised resistance of the upper castes primarily accounts for Bihar's poor performance in land reforms with respect to scheduled groups. Though the operated area of the SCs has increased marginally, the position of STs has gone down further. The SCs do not have an organised identity in the state. An attempt was made to build a mass movement in the 1940s through the formation of the Bihar State Backward Classes Federation under the leadership of Chandapuri, but it became weak after 1950 by the 'accommodation' strategy of the Congress Party (Frankel 1989: 84–85). Except the increasing incidences of caste-based conflict and violence, the SCs could not coordinate their efforts to organise a mass movement. Though the ruling Rashtriya Janata Dal is organising the lower castes, the major share of the benefits goes to the 'OBC group' such as the Koeris, Kurmis and Yadavs (Wilkinson 2000: 788, Jaffrelot 2000). Commenting on the performance of Bihar, Appu (1993) has stated,

> Bihar's dismal performance in the field of land reforms has been largely due to the overbearing sway of large landlords over rural society and their dominant influence over the state's politics and administration. Moreover, the legal system is heavily tilted against the disadvantaged, and there is a lack of organisation on the part of potential beneficiaries. Without a radical transformation ... there is no reason to expect any marked improvement in the implementation of land reforms.... As a result of the

> awakening that has taken place in some parts of rural Bihar in the wake of social mobilisation spearheaded by diverse groups of political activities, the weaker sections are becoming conscious of their rights.... Such a development may lead to better implementation of land reform laws.

Though the population of the scheduled groups is around 40 per cent in Orissa and Madhya Pradesh and 30 per cent in Rajasthan, their operational holding position is extremely poor compared with many other states. While the operated area belonging to SCs has increased marginally from 7.9 to 8.6 per cent in Orissa over the past 10 years, the area of the scheduled tribes has decreased noticeably. In Madhya Pradesh and Rajasthan, the area has increased only marginally both for the Scheduled Castes and Scheduled Tribes. The upper caste dominance in these states remains unchallenged and the Dalits could not mobilise themselves against the landlords and the propertied class and failed to emerge as a powerful political force. Writing about these states, Harriss (1999) argues, 'Both Madhya Pradesh and Rajasthan constituted largely by former princely states and in both some of the former rulers have remained politically powerful.... They are states, too, in which right-wing parties have traditional base.... Neither state has offered much opportunity for left-wing political parties, or their ideologies. The political leadership in Rajasthan is divided between brahmins, rajputs and jats and the state assemblies dominated by these groups.' While evaluating the land reforms in Rajasthan, Judge (1999: 98) says '... the big landowners ... belong to rajput, brahmin, bishnoi, ahir and jat castes ... most of them belong to the ruling classes of Rajasthan, mostly they are ex-jagirdars or feudal lords.... All of them have high social status, monetary resources and connections. As a result of these resources, they acquire three abilities, viz, coercive power, manipulative power and contending power.' There are several instances in Rajasthan where the landed gentry have opposed land reform legislation through various means.[16] In both Rajasthan and Madhya Pradesh, much resistance came from the landed elites who faced little challenge from the toiling masses (Joshi 1975: 87–110).

In Orissa, on the other hand, though there were tribal movements, they were confined to only small geographical boundaries. In the post-independence period, neither the SCs nor the STs have organised themselves against the dominant upper castes. Most of the positions in the Orissa administrative and bureaucratic structure is occupied by the forward castes and the major political parties in the state are under their control (Mohanty and Bahidar 1993; Manor 2000: 827). The Brahmins and the Karans dominate society and politics in contemporary Orissa and the failure of caste associations facilitated the continuation of upper caste dominance in the state (Mohanty 1990: 321). The same could be established more firmly from the study of Sahu: 'Orissa does not have the advantage of the legacy of a 19th century Renaissance or sustained organised left movement as does Bengal. Nevertheless, there have been no caste movements in Orissa of the kind in Maharashtra, Karnataka, etc. Although caste is socially present, it does not manifest politically' (1998: 131–32).

To analyse the Kerala situation, it is found that though the state has a long history of movements even in the post-reform period such as the Adivasi Sangham movement of 1969 in Kozhikode and Cannanore districts against tribal land alienation and the Land Grab Agitation of 1970 in Alleppey, it has not shown any

exemplary achievements like that of West Bengal. Of course, the ST population in the state is negligible (1 per cent, 1991 Census), and the total population of SCs and STs constitute around 10 per cent of the state's population. The sizeable population of Christians and Muslims in the state is possibly one of the major reasons which has of the share of scheduled groups.

Of all the states, SCs are the most disadvantaged in Punjab. Constituting more than 28 per cent of the state's population they control only 2.4 per cent of the operated area (in 1990–91). The landholding position, instead of improving, has declined further. It is true that Punjab was also strongly affected by social reform movements with anti-Brahminical overtones in the later nineteenth/early twentieth century. The state experienced the uprising of 1890–1900 and the Agrarian unrest of 1906–07 in Lahore, Amritsar, Rawalpindi. But these movements have not given adequate opportunity to the lower castes, especially the SCs, to organise themselves against the upper caste landed interests. The early reform movements and the subsequent Ad-Dharm movement in 1926 were of a more religious and social nature and were largely under the control of upper castes. Therefore, the organisation and ideology of these movements was different from the Dalit movements of south and west India (Patankar and Omvedt 1979). In the post-Independence period, SC organisations have not developed independently like that in Uttar Pradesh and Bihar. The Dalits have so far not had a significant role in the state's politics (Jodhka 2000: 399). However, the structure of dominance around Brahmins/Kshatriyas which prevailed over most of India was not strongly developed there because of the importance of Sikhism (Harriss 1999: 3369; Jodhka 2000: 399). Moreover, the landlessness of the lower castes in Punjab was also partly caused by the migration of people from western Punjab (Pakistan) who left around 67 lakh acres of land as against 47 lakh acres that was left by the people who migrated to Pakistan (Randhawa as cited in Singh 1993). The migration of many landless families, who mostly belonged to SCs, from neighbouring states to the canal-irrigated areas of this state in search of employment opportunities may also be attributed for this widespread landlessness of the SCs.

To sum up, there is a strong relationship between social movements, legislative measures and their achievements and the consequent atrocities on the scheduled population (see Table 6.9). The states with a strong background of movements have relatively better legislative and executive measures for the protection, restoration and allotment of land. Of course, the legislations pertaining to protection is almost similar in many states, except for a few provisions. But with regard to the provisions for the ceiling limits, restoration and allotment of land, there exist differences across the states, influenced by the social movements and the awareness of scheduled groups. The achievements of these measures is relative to the nature of organisation and movements of the SCs and STs. The atrocities following land distribution is inversely related to the level of their awareness and organised action.

V

It may be summarised from the above analysis that the scheduled groups continue to be a disadvantaged section with respect to land and there has been no substantial

TABLE 6.9: Movements, Legislative Measures and Atrocities on Scheduled Groups

Characteristics	Category			
	A*	B**	C***	D****
Pre-legislation movements[$]	West Bengal, Tamil Nadu, Maharashtra	Punjab, Andhra Pradesh, Gujarat, Kerala	Orissa, Bihar, Karnataka, Uttar Pradesh	Madhya Pradesh, Rajasthan
Legislative measures[@]	West Bengal, Karnataka, Kerala	Gujarat, Tamil Nadu, Punjab, Maharashtra, Orissa, Bihar, Uttar Pradesh	Madhya Pradesh, Rajasthan, Andhra Pradesh	–
Post-legislation movements and organisation[#]	West Bengal, Tamil Nadu,	Maharashtra, Karnataka, Kerala	Andhra Pradesh, Bihar, Uttar Pradesh	Gujarat, Orissa, Rajasthan, Madhya Pradesh, Punjab
Achievements of legislative measures[ϕ]	West Bengal	Maharashtra, Tamil Nadu, Karnataka	Andhra Pradesh, Gujarat, Uttar Pradesh, Bihar, Kerala	Punjab, Orissa, Rajasthan, Madhya Pradesh
Atrocities on scheduled population[Θ]	West Bengal, Tamil Nadu, Karnataka	Andhra Pradesh, Kerala, Punjab	Orissa,Gujarat, Maharashtra,	Madhya Pradesh, Rajasthan, Uttar Pradesh, Bihar

Notes: * Strong and widespread pre-legislation movements, relatively strong legislative measures, active and strong post-legislation movements and better awareness among scheduled population, significant achievement in land reforms, negligible atrocities on scheduled groups.

** Sporadic pre-legislation movements, moderate legislative measures, post-legislation movements in many parts, noticeable achievements in land reforms, less atrocities on scheduled groups.

*** Low pre-legislation resistance, relatively inadequate legislative measures, signs of organised post-legislation protests, average achievements in land reforms, relatively more atrocities on scheduled groups.

**** Pre-legislation movements confined to a few areas, inadequate legislative measures, very low level of post-legislation awareness and resistance, miserable performance in land reforms, maximum atrocities on scheduled groups.

$ Covers the movements that took place before the 1950s because many of the legislative measures started since then.

@ Though legislative measures were introduced in the latter part of the British rule, only the measures taken in the post-independence period have been considered. While categorising the states in terms of legislative measures, provisions relating to fixation of ceiling limits, protection, restoration and allotment of lands have been taken into account.

Includes movements and organised protests since the 1950s. The classification of states has been made on the basis of area (districts) covered by the movements, broad aims and objectives and achievements as reported in the available literature.

ϕ Four parameters, such as, percentage of cultivable area declared as surplus, percentage of land distributed to SC and ST, present landholding position in relation to population and the extent of improvement in the holding position have been considered to classify the states in terms of achievements.

Θ Classification of states is based on the number of atrocities per one lakh population of SC and ST as given in the Report of the Commissioner for SC and ST, 1986–87.

improvement in their landholding position over the years. Rather, in some states, it has declined further. Even after more than 50 years of planned initiatives and policy measures, fair distribution of land among these backward communities appears merely hoping against hope. It is confirmed by many studies both in India[17] and elsewhere[18] that land reforms lead to the reduction of socio-economic inequalities, poverty as well

as agricultural growth. Moreover, as observed by Aiyappan, 'without some degree of economic freedom the underprivileged communities are seldom able to take advantage of social legislation conferring new privileges on them' (1965: 10). Despite this, land reforms with respect to the scheduled groups explicate lugubrious performance, which raises doubts about the nature of the commitment of Indian government towards uplift of SCs and STs. The much awaited legislative measures to protect and promote the landholdings of the scheduled groups were formulated only in response to their strong and widespread resistance and movements. It is rightly remarked that 'far from being liberal gifts from enlightened governments, land reforms have been historical processes necessitated by peasant struggles' (Radhakrishnan 1989: 268). It is also revealed from the study that the achievements of legislative measures and the land distribution among scheduled communities is relatively better in those states where movements are active and people are organised. The atrocities on these groups following land allotment, by the privileged landed interests are also less in these states. It seems that fair distribution of land is not possible through mere legislative measures. The law, however, well framed cannot succeed in the absence of a vigilant public opinion and active socio-political organisation to help the underprivileged assert their rights over land. This confirms Gandhi's remark that '... the Congress will commit suicide if its attention is solely devolved to legislative work. Swaraj will never come that way. Swaraj can only come through an all round consciousness of mass'.[19] Hence, the level of mass consciousness can be raised only through mass struggle (Prashad 1995: 210). Therefore, mass struggle seems to be the only option before the scheduled groups that could break the inertia and enable them to improve their landholding position. The submissiveness and serfdom syndrome tend to precipitate and perpetuate the subalternity and backwardness. The background of legislative measures and the magnitude of previous social movements that have provided marginal benefits provides scheduled groups adequate lessons and ample scope to choose the right option.

Notes

1. See Ninth Five-Year Plan Draft 1997–2002, Planning Commission, vol. II, New Delhi: Government of India, p. 347.

2. Perspective Planning Division, Planning Commission, as cited in Ninth Five-Year Plan Draft 1997–2002, Planning Commission, vol. II, New Delhi: Government of India, p. 347.

3. Barring Murdia (1975) and Patel (1974), studies on the aspects of land distribution among the SCs and STs across the states is almost non-existent. However, these early studies could not cover completely the effects of legislative measures because in many states some of the measures were introduced in the 1970s and even the 1980s, and special efforts were also made for land distribution among the scheduled groups through the Sixth and Seventh Five-Year Plans. Though there are some state-level studies, they are also very limited.

4. There are a good number of studies showing how the land reforms and forest policy, and the associated infrastructural arrangements of British colonialism and the planned developmental initiatives of the post-independence period have adversely affected the socio-economic conditions of the tribals and strengthened the basis of dominance of non-tribals in tribal areas. The pace of impoverishment, de-peasantisation, marginalisation and displacement of the tribals continues to increase with the march of time. See, for example, Pathy (1984); Rao (1987); Mohanty (1997).

5. Except some of the north-eastern states where the tribal population is predominant, none of the Indian states is ruled by the scheduled groups. Though the Bahujan Samaj Party was in power in UP, it was only for six months and thrived on the support of the BJP, a right-wing upper-caste (Brahmin) dominated party. Similarly in Orissa, the Congress Party has made tribal leaders the chief minister of the state thrice for a very short time just before the election to woo the tribals.

6. The analysis is limited to only 13 states. The north-eastern states, Jammu and Kashmir, Himachal Pradesh, Haryana and the Union Territories have been excluded mostly due to non-availability of data and literature. However, as most of the major states (in terms of area and SC and ST population) have been covered in the study, the exclusion of these states would not vitiate generalisation significantly.

7. It is true that many of these early movements had religious colourings. But the land and forest issues had mobilised the tribals in some way or other. See Patel (1974); Arya (1998). For more details, see Desai (1979) and Singh (1983), which provide a panoramic view of the tribal and peasant struggles in India.

8. It is revealed by various reports (see the reports of the Commissioner for SC and ST, various issues, reports of the study team on tribal development programme, various states) that the non-tribals have purchased land from the tribals through various means. The so-called competent authority has permitted the rich non-tribals to acquire the land of the scheduled groups without much difficulty. See Mohanty (1996; 1997).

9. The studies undertaken by Rajasekar (1988) in Andhra Pradesh, Dandekar (1979) in Maharashtra, Mohanty (1996) in Orissa, Judge (1999) in Rajasthan and Gujarat reveal that many of the large farmers have distributed their holdings among family members to avoid the ceiling laws and also to claim to be small farmers for availing the developmental measures meant for the small and marginal holders.

10. The matter was also discussed in the conference of revenue ministers held in May 1985 and November 1986. See the *Report of the Commissioner for Scheduled Castes and Scheduled Tribes, 1986–87.*

11. See *Progress of Land Reforms*, Planning Commission, Government of India, 1963, p. 21.

12. The idea that, to enrich their spiritual life men should share their worldly possession, incorporated in Bhoodan philosophy found a favourable and ready response from poor Indians of the countryside. See Tai (1974).

13. The successive reports of the Commissioner for SCs and STs have recorded some of the cases that came for legal rescue. They have provided detailed accounts of these cases with date and place of occurrence. For example see, *Report of the Commissioner for Scheduled Castes and Scheduled Tribes, 1986–87.*

14. It has been reported by some studies that the lower castes have also improved their holding position through land market. For example, see Bailey (1957); Omvedt (1993); Lieten and Srivastava (1990).

15. As per the 1991 Census, the SC population in Maharashtra is 11.10 per cent against 7.14 per cent in 1980–81. But such a substantial increase in population is mainly due to inclusion of some more communities like neo-Buddhists in the SC groups.

16. The description given in Hiro (1976) and Judge (1999) provides an interesting account of the methods and strategies adopted by the upper caste landed interests not to implement the ceiling laws and other land reform acts.

17. The link between land reform, agricultural growth and reduction of poverty in India is well established by Besley and Burgess (1998), Haque (1995) and others.

18. It is reported that countries like China, Botswana, Egypt, South Korea and Zimbabwe have a relatively egalitarian agrarian structure due to implementation of land reforms, and these countries also maintain a good record of food production, economic growth and high level of public expenditure on health and education. See Cornia et al. (1987) and Singh (1986), as cited in Haque (1995: 67).

19. M. K. Gandhi's speech at the All-India Congress Committee. For details, see the *Collected Works of Mahatma Gandhi*, vol. LVIII, p. 11.

References

Aiyappan, A. 1965. *Social Revolution in a Kerala Village*. Mumbai: Asia Publishing House.

Appu, P. S. 1993. 'A Modest Programme for the Nineties'. In *Land Reforms in India*, vol. I, eds B. N. Yugandhar and Gopal Iyer. New Delhi: Sage Publications.

_____. 1996. *Land Reforms in India, A Survey of Policy Legislation and Implementation*. New Delhi: Vikas Publishing House.

Arya, Sachi. 1998. *Tribal Activism, Voices of Protest*. New Delhi: Rawat Publications.

Bailey, F. G. 1957. *Caste and the Economic Frontier: A Village in Highland Orissa*. Manchester: Manchester University Press.

Besley, Timothy, and Robin Burgess. 1998. 'Land Reform, Poverty Reduction and Growth: Evidence from India'. In *The Development Economics Discussion Paper Series*, no. 13. London School of Economics.

Beteille, Andre. 1972. *Inequality and Social Change*. New Delhi: Oxford University Press.

_____. 1974. *Studies in Agrarian Social Structure*. New Delhi: Oxford University Press.

Dandekar, Hemalata. 1978. 'Rural Development: Lessons from a Village in Deccan Maharashtra', PhD (unpublished), submitted to University of California.

Das, Arvind N. 1983. *Agrarian Unrest and Socio-Economic Change 1900–1980*. New Delhi: Manohar Publications.

Dasgupta, Biplab. 1973. 'Naxalite Armed Struggles and the Annihilation Campaign in Rural Areas'. *Economic and Political Weekly* 7 (456): 173–188.

Desai, A. R., ed. 1979. *Peasant Struggles in India*. New Delhi: Oxford University Press.

Deshpande, R. S. 1998. 'Land Reforms and Agrarian Structure in Maharashtra'. *Journal of Indian School of Political Economy* 10 (1): 1–24.

Dhanagare, D. N. 1983. *Peasant Movements in India 1920–1950*. New Delhi: Oxford University Press.

Diwakar, D. M. 1999. 'Dalit Question of Inequality, Exploitation and Mobilisation: A Micro View of Ground Realities'. *Man and Development* 21 (3): 62–81.

Duncan, Ian. 1999. 'Dalits and Politics in Rural North India: The Bahujan Samaj Party in Uttar Pradesh'. *The Journal of Peasant Studies* 27 (1): 35–59.

Ekka, W., and A. K. Danda. 1983. 'The Halpati Movement among the Dublas of South Gujarat'. In *Tribal Movements in India*, ed. K. S. Singh. New Delhi: Manohar Publications, pp. 273–84.

Francis, C. 1996. 'Land Reforms: An Overview'. In *Land Reforms in India*, vol. III, ed. B. N. Yugandhar. New Delhi: Sage Publications, pp. 28–56.

Frankel, F. 1989. 'Caste, Land and Dominance in Bihar'. In *Dominance and State Power in Modern India: Decline in Social Order*, vol. I, eds F. Frankel and M. S. Rao, Mumbai: Oxford University Press.

Haimendrof, C. V. F. 1945. *Tribal Hyderabad*, Government of HEM, Nizam.

_____. 1982. *Tribes in India: The Struggle for Survival*. New Delhi: Oxford University Press.

Haque, T. 1995. 'Role of Land Reform in Rural Development in the Wake of Economic Liberalisation'. *Kurukshetra* 64 (1) : 63–69.

Hiro, D. 1976. *Inside India Today*. London: Routledge and Kegan Paul.

Harriss, John. 1999. 'Comparing Political Regimes across Indian States: A Preliminary Essay'. *Economic and Political Weekly* 34 (48): 3367–77.

Jaffrelot, Christophe. 2000. 'The Rise of the Other Backward Classes in the Hindi Belt'. *The Journal of Asian Studies* 59 (1): 86–108.

Jodhka, Surinder S. 2000. 'Prejudice' Without 'Pollution'? Scheduled Castes in Contemporary Punjab'. *Journal of Indian School of Political Economy* 12 (3 and 4): 381–404.

Joshi, P. C. 1975. *Land Reforms in India: Trends and Perspectives*. New Delhi: Allied Publishers.

Judge, R. S. 1999. *Social Change through Land Reforms*. New Delhi: Rawat Publications.

Kulkarni, D. S. 1983. 'The Bhil Movement in Dhulia District 1972–74'. In *Tribal Movement in India*, ed. K. S. Singh. New Delhi: Manohar Publications, pp. 261–72.

Lieten, G. K., and Ravi Srivastava. 1999. *Unequal Partners, Power Relations: Devolution and Development in Uttar Pradesh*. New Delhi: Sage Publications.

Manor, James. 2000. 'Small-Time Political Fixers in Indian States: Towel over Armpit'. *Asian Survey* 61 (5): 816–35.

Mearns, R. 1998. *Access to Land in Rural India: Policy Issues and Options*. (Mimeo) World Bank.

Ministry of Agriculture. 1998. *All India Report on Agriculture Census 1990–91*. New Delhi: Department of Agriculture and Cooperation.

Mohanty, B. B. 1996. 'Agricultural Modernisation in Rural Orissa: Prosperity and Destitution'. *Man in India* 76 (1): 81–90.

———. 1997. 'State and Tribal Relationship in Orissa'. *Indian Anthropologist* 27 (1): 1–17.

Mohanty, Manoranjan. 1990. 'Class, Caste and Dominance in a Backward State: Orissa'. In *Dominance and State Power in Modern India: Decline in Social Order*, vol. II, eds F. Frankel and M. S. A. Rao. Mumbai: Oxford University Press.

Mohanty, Manoranjan, and B. K. Bahidar. 1993. *Odisha Daridra Kahinki (Oriya)*. Cuttack: Binod Bihari.

Mohapatro, P. C. 1987. *Economic Development of Tribal India*. New Delhi: Ashish Publishing House.

Mukherji, P. 1987. 'Study of Social Conflicts, Case of Naxalbari Peasant Movement'. *Economic and Political Weekly* 22 (38): 1607–16.

Mungekar, N. 1999. 'State, Market and the Dalits: Analytics of the New Economic Policy'. In *Dalits in Modern India*, ed. S. Michael. New Delhi: Vistaar Publications.

Murdia, Ratna. 1975. 'Land Allotment and Land Alienation Policies and Programmes for Scheduled Castes and Tribes'. *Economic and Political Weekly* 10 (32): 1201–14.

Myrdal, Gunnar. 1972. *Asian Drama: An Inquiry into the Poverty of Nations* (abridged in one volume by Seth S. King). Middlesex: Penguin Books.

Nair, Kusum. 1961. *Blossoms at the Dust*. London: Duckworth and Co.

Omvedt, Gail. 1974. 'Non-Brahmins and Nationalists in Poona'. *Economic and Political Weekly* 9 (6, 7, 8) (Annual Number): 201–16.

———. 1993. *Dalits and the Democratic Revolution: Dr Ambedkar and the Dalit Movement in Colonial India*. New Delhi: Sage Publications.

———. 1998. 'Kanshi Ram and the Bahujan Samaj Party'. In *Caste and Class in India*, ed. K. L. Sharma. New Delhi: Rawat Publications.

Pani, Narendar. 1998. 'Political Economy of Karnataka: 1950–1995: An Overview'. *Journal of Social and Economic Development* 1 (1): 64–84.

Parry, J. 1979. *Caste and Kinship in Kangra*. London: Routledge and Kegan Paul.

Patankar, B., and Gail Omvedt. 1979. 'The Dalit Liberation Movement in Colonial Period'. *Economic and Political Weekly* 14 (7 and 8): 409–24.

Patel, M. L. 1974. *Changing Land Problems of Tribal India*. Bhopal: Progress Publishers.

Pathy, Jagannath. 1984. *Tribal Peasantry Dynamics of Development*. New Delhi: Inter India Publications.

Patnaik, N. 1971. *Tribes and Their Development: A Study of Two Tribal Development Blocks in Orissa*. Hyderabad: National Institute of Community Development.

Prashad, P. H. 1995. 'Mass Struggle: The Only Option'. *Economic and Political Weekly* 30 (4): 208–11.

Radhakrishan, P. 1989. *Peasant Struggles, Land Reforms and Social Changes, Malabar, 1836–1982*. New Delhi: Sage Publications.

Rajasekar, D. 1988. *Land Transfer and Family Partitioning: A Historical Study of an Andhra Village*. Delhi and Thiruvananthapuram: Oxford and IBH Publishing Co. and Centre for Development Studies.

Rajasekaran, N. 1998. 'Land Reforms in Maharashtra: A Regional Analysis'. *Review of Development and Change* 3 (2): 238–63.

Ram, N. 1979. 'Dravida Movement in its Pre-Independence Phases'. *Economic and Political Weekly* 14 (7 and 8): 377–402.

Ranadive, B. 1979. 'The Caste, Class and Property Relations', *Economic and Political Weekly* 14 (7 and 8): 337–48.

Rao, B. J. 1987. *Land Alienation in Tribal Areas of Andhra Pradesh*. Warangal: Kakatiya University.

Reddy, G. Ram. 1989. 'The Political Accommodation: Caste, Class and Dominance in Andhra Pradesh'. In *Dominance and State Power in Modern India: Decline in Social Order*, vol. I, eds F. Frankel and M. S. A. Rao. Mumbai: Oxford University Press.

Rutten, Marico. 1995. *Farmers and Factories: Social Profile of Large Farmers and Rural Industrialists in West India*. New Delhi: Oxford University Press.

Shah, G. 1998. 'Caste Sentiments, Class Formation and Dominance in Gujarat'. In *Caste and Class in India*, ed. K. L. Sharma. New Delhi: Rawat Publications.

Sahu, B. P. 1998. 'The Orissan Society: Past Trends and Present Manifestations'. In *Caste and Class in India*, ed. K. L. Sharma. New Delhi: Rawat Publications.

Sankaran, S. R. 1996. 'Introduction'. In *Land Reforms in India*, vol. 3, ed. B. N. Yugandhar. New Delhi: Sage Publications, pp. 17–27.

Sharma, B. D. 1994. *Dalit Betrayed*. New Delhi: HarAnand Publications.

Singh, K. S., ed. 1983. *Tribal Movements in India*, vols I and II. New Delhi: Manohar Publications.

Singh, Brijipal. 1993. 'Consolidation of Land Holdings in Punjab: Lessons for Bihar'. In *Land Reforms in India*, vol. 1, eds B. N. Yugandhar and Gopal Iyer. New Delhi: Sage Publications.

Suri, K. C., and C. V. Raghavulu. 1996. 'Agrarian Movements and Land Reforms'. In *Land Reforms in India*, vol. 3, ed. B. N. Yugandhar, pp. 28–56.

Tai, Hung-Chao. 1974. *Land Reform and Politics: A Comparative Analysis*. Berkeley: University of California Press.

Thorner, Daniel. 1976. *The Agrarian Prospect in India*. New Delhi: Allied Publishers.

Vyasulu, Vinod. 1985. 'Underdeveloping Koraput'. *South Asian Anthropologist* 6 (1): 63–71.

Wilkinson, Steven Ian. 2000. 'India, Consociational Theory, and Ethnic Violence'. *Asian Survey* 51 (5): 767–91.

Wood, J. R. 1984. 'Congress Restored? The "KHAM" Strategy and Congress (I) Recruitment in Gujarat'. In *State and Politics in India: Crisis or Continuity*, ed. J. R. Wood. Boulder: Westview Press.

Yadav, Manohar. 1998. 'Career of Dalit Movement in Karnataka'. *Journal of Social and Economic Development* 1 (1): 107–27.

7

Land Reforms

*Turning the Clock Back**

Brian Lobo

The clock is being turned back on land reforms in Maharashtra. The implementation of the Maharashtra Private Forests (Acquisition) Act nullifies the benefits that accrued to many of the tenants and the landless through the land reforms legislations. Land purchased by erstwhile tenants under the Tenancy Acts, land distributed to the landless under the Ceiling Act, land in possession of and being cultivated by unrecorded tenants, is being acquired by the state in the name of environment protection. In the four Konkan districts of Thane, Raigad, Ratnagiri and Sindhudurg alone, 3.03 lakh hectares of agricultural land (Deshpande 2001), affecting more than one lakh cultivators, mostly tribals, have hitherto, without the knowledge of most cultivators, been declared to be private forests. In 1975, all these lands were with one stroke of the pen acquired and vested in the state. These 'bhumiputras'—the beneficiaries of the tenancy legislations—are now facing eviction. The process of removing the names of the cultivators from the land records and inserting that of the forest department has recently begun. This retrogressive step has resulted in an uproar among farmers in the Konkan division.

The Process of Acquisition

An entire chapter covering Sections 35 to 38 of the Indian Forest Act, 1927, deals with 'The Control over Forests and Lands not being the Property of Government'. By virtue of Section 35 the state government may, by notification in the official gazette regulate, or prohibit in any forest or wasteland the breaking up or clearing of land for cultivation, the pasturing of cattle, or the firing or clearing of vegetation. Such a notification is to be issued if it appears that such regulation or prohibition is necessary for protection against storms, floods and avalanches; for the preservation of the soil, prevention of soil erosion; for the maintenance of water supply in

* *Economic and Political Weekly* 37 (6), 9 February 2002.

springs; for the protection of roads, bridges, railways, etc., and for the preservation of public health. In other words, the notification is to be issued under pressing and extenuating situations. It is interesting to note that the section was rarely, if at all, resorted to by the British. However, following the Indian Forest (Control over Forests and Lands not being the Property of Government) (Bombay area) Rules in 1950, the post-independent state government issued such notifications in the period of 1955–1965.

Such notifications were issued without actually assessing the ground reality, and inquiring into whether the land was actually waste or under cultivation. Since the notifications were published prior to the land reforms legislation, notices if any, were issued to the original landlords. The tenants remained oblivious of what was transpiring. In 1957, many of these tenants became deemed owners, and the lands were sold to them under the provisions of the Bombay Tenancy and Agricultural Lands Act.

In Raitali Chimbatpada (Dahanu taluka, Thane district), 31 acres of land being cultivated by 29 tribal families, that had hitherto been purchased by tribal tenants from the erstwhile landlords have been transferred to the 'Maharashtra Government Forest Department Reserved Forest'. In Kevale village (Sudhagad taluka, Raigad district), the land records of the erstwhile tenants who had become owners of their lands bear the remark, 'Use for non-forest purpose prohibited without prior permission of central government' (Dalvi 2001). In Dhodhani village (Panvel taluka, Raigad district), the land that had been distributed to landless tribals under the Ceiling Land Scheme has been acquired by the forest department (ibid.). In Ambesari village (Dahanu taluka, Thane district), the remark 'the provisions of the Maharashtra Private Forests Acquisition Act are applicable' has been entered in the land records of 65 hectares of agricultural land, under cultivation for generations by non-recorded tenants. Thus the majority of lands that have been declared to be private forest is in reality land of erstwhile tenants and marginal farmers who have continued to cultivate the same for generations.

Section 36 of the Act states that if 'in case of neglect of, or wilful disobedience to any regulation or prohibition under Section 35, ... the state government ... may place the land under the control of a forest officer, and may declare that all or any of the provisions of this Act relating to reserved forests shall apply to such forest or land'. In other words, since cultivation continued on these lands, the state government could have taken control of the land and assumed management like a reserved forest. It, however, chose not to exercise its powers.

However, suddenly, during the Emergency in 1975, the Maharashtra government passed the Maharashtra Private Forests (Acquisition) Act. By virtue of Section 3 of the Act, '... all private forests in the state shall stand acquired and vest, free from all encumbrances, in, and shall be deemed to be ... the property of the state government, and all rights, title and interest of the owner ... shall be deemed to have been extinguished'.

The acquisition was subject to a proviso [Section 3(2)] that it was not applicable to land that is held by an occupant or tenant and which is lawfully under cultivation

on the appointed day, but below the ceiling limit, and to any building or structure standing thereon. However, it appears that in many instances, this proviso has been overlooked while implementing the Act.

In 1978, following protests, the act was amended and a new Section 22A was introduced. Those lands were to be restored whose acquisition had resulted in the total landholdings of the landowner reduced to less than 12 hectares on the appointed day or if his total holding was already less than 12 hectares, such that his total holdings would not exceed 12 hectares. The amendment was enacted such that the owners 'may be able to continue to earn their livelihood from such lands ...'. It is ironical that the farmer has been banned from cultivating these very lands today.

Despite the passage of almost 20 years, the state government took no steps to formally acquire the lands. Meanwhile, about 4,000 hectares of land in Raigad district, belonging to large landowners, that had been declared to be private forests, was sold to private builders and quarry owners, for about Rs 1,500 crore, with the active connivance of the revenue and forest officers. In 1997, following revelations in the press, the state government appointed the Sinha-Mitra Committee to inquire into the scam. Acting on its recommendations, complaints were lodged against 18 senior officers (Bhuskute nd).

However, the other recommendations have far-reaching consequences. The committee recommended that to prevent any such deals in the future, the revenue department should immediately issue orders to enter the name of the forest department as owner in the land records in cases where the land has been finally acquired. In cases where the land has been restored to the landowner (as per Section 22A of the 1978 Amendment), prior to the enactment of the Forest Conservation Act, that is, 25 October 1980) the name of the landowner continues in the records. However, if the land has been restored after 25 October 1980, or if an inquiry is pending, the draconian clause, 'use for non-forest purpose prohibited without prior permission of central government' or 'attracting the provisions of the Maharashtra Private Forest Act' is to be entered in the land records. Most cases fall within these categories.

Meanwhile, on 12 December 1996, in a different case, the Supreme Court held,

> the term "forest land"... will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the government record irrespective of the ownership.... In view of the meaning of the word "forest" in the Act, it is obvious that prior approval of the central government is required for any non-forest activity within the area of any "forest". In accordance with Section 2 of the Act, all ongoing activity within any forest in any state throughout the country, without the prior approval of the central government, must cease forthwith (AIR 1997).

Armed with this judgment, the forest department applied pressure on the state government. Acting on the recommendations of the Sinha-Mitra Committee, the divisional commissioner (revenue), despite not being the competent authority, issued orders to the concerned tahsildars to make the respective entries in the land records forthwith. As no notices were issued to the concerned parties, as per the requirements

of the Maharashtra Land Revenue Code, they were not given an opportunity to be heard. The revenue department has accepted the lists of land declared to be private forests submitted by the forest department as being the final word on whether any land is to be declared a 'private forest'. Without any verification and due inquiry, the revenue officers have made the mutations in the records.

Impact on Small and Marginal Farmers

The act was aimed at acquiring large tracts of forests privately owned by large landowners. However, what is significant is that the land that has been declared to be private forests is in most cases under cultivation without trace of any trees! What is also significant is that while in some cases the land of large landowners has been acquired, in most cases it is the small farmers, erstwhile tenants, and non-recorded tenants who have been affected. Despite the clauses exempting all land under cultivation by a tenant or owner up to the ceiling limit, and up to 12 hectares whether under cultivation or not, entries have been made in the records of these small and marginal farmers.

The notifications under Section 35 of the Indian Forests Act, declaring the lands to be private forest, were published prior to the land reforms legislation. In 1957, many of the tenants on these lands became deemed owners and the lands were sold to them under the provisions of the Tenancy Act. The state also acquired large tracts of notified land of the erstwhile landlords under the Ceiling Act and distributed the same to the landless. The acquisition of these lands under the Private Forests Acquisition Act nullifies the benefits that accrued to these tenants and landless through the land reforms legislations.

In many cases, as the revenue department had failed to update the revenue records, the names of the heirs did not enter the records, and so on the appointed day (30 August 1975) many of the farmers were unable to reap the benefits of the 12 hectares exemption. In Raitali for example, in 1975, 13 hectares were shown to be cultivated by one tribal, when in reality his eight heirs were each cultivating a share of approximately 1.6 hectares. If the names of all the heirs had been entered in the records in 1975, then each of them would have been eligible for the exemption limit of 12 hectares. Further, the total area shown in the land records under cultivation by the tribal is far lesser than in practice. This is because of a number of reasons:

(1) In many tribal tracts, the original landowners had entered the name of the tenants only in the 'kharif' or rice lands, while the tribals continued to cultivate 'varkas' or upland areas taking highland paddy, millets ('nagli' or 'vari') and other crops on these lands. These and other non-recorded tenancies are not reflected in the land records.

(2) The rotation cropping pattern followed traditionally by the tribals in which some land is left fallow implied that land, even though under cultivation, would be shown as fallow in the 'pik pahani' or crop inspection.

(3) Most importantly, many tribals preserved trees on their lands to provide them with leaves and loppings required for the traditional organic method of preparation of the seedling bed or 'rab'. While these trees form an essential part of the agricultural practice, the area under the trees is not reflected in the area under cultivation in the land records.

The tribal farmer continues to be in peaceful possession of and to cultivate these lands. As his name is nowhere reflected in the records, or the area under cultivation is underestimated in the records, he faces the threat of eviction due to the acquisition.

ECOLOGICAL BALANCE OR SURVIVAL OF COMMUNITIES?

As mentioned earlier, the acquisition is being made in the name of environmental protection. The preamble to the act states the acquisition is 'expedient to conserve the material resources of the private forests and to maintain ecological balance'. Ironically, the acquisition will lead to more degradation. The forest-dwellers are even being penalised for adopting organic agricultural practices, which involve tree protection! Those rendered landless will be left with no other option but to encroach upon already degraded forest land. The resentment that will be built among the local people due to the acquisition will be counterproductive in any effort to involve people in forest conservation.

The acquisition starts with the premise that local people are unable to protect and conserve the forests and that only the state is capable of doing so. How ante-diluvian this concept is can be gauged that in the early 1990s, even the state, realising its own inadequacies and accepting its own failure to protect and conserve the forests, introduced the concept of joint forestry management.

Given the financial bankruptcy of the state, and the general trend towards privatisation, it seems highly unlikely that the lands that are being acquired will be greened and protected by the state. Either the state will be forced to take a World Bank loan and increase the debt liabilities, or it will lease out the lands to private companies and industrial houses. The latter seems more likely, as the acquired lands are on the fringes of the forest. The lands will then be fenced, protected by armed guards and will be out of bounds for the nearby forest-dwellers. The acquisition of the lands appears to be part of a larger conspiracy where the livelihood resources of the poor will be diverted into capital for the private sector.

It is interesting to note that the preamble to the act further mentions that the acquisition is necessary 'for improving the socio-economic conditions of the rural population, and particularly of the adivasis and other backward communities who generally live in forest areas....' How the state government intends to improve the socio-economic condition of the rural population when it is taking away their very resource base is anyone's guess. Maybe the environment group, which has filed a writ petition in the high court seeking state action to prevent the 'depletion of private forest land', has an answer!

Permission to Cultivate One's Own Land

As the term 'forest' includes 'private forest' even if the land is restored to the original landowner (as per Section 22A of the 1978 Amendment), but the date of the order is post the enactment of the Forest Conservation Act, (that is 25 October 1980), or if an inquiry is pending, damning remarks are being entered in the land records. These remarks—'Attracting the provisions of the Maharashtra Private Forest Acquisition Act' or 'Use for non-forest purpose prohibited without prior permission of central government' sound the death-knell for the farmer. This implies that even if the land is not acquired, the farmer is prohibited from cultivating his land without prior permission of the central government. He is also prohibited from digging a well, making any improvements to the land, and lopping trees for 'rab'. When government departments find it almost impossible to get prior permission even for implementing development projects, will a poor farmer ever get permission? How will he even manage to knock on the doors of New Delhi? And from where will he produce land for compensatory afforestation as required under the Forest Conservation Act? And, most importantly, why *should* a farmer have to go down on his knees to get permission to cultivate his own land?

Given that the farmer will continue to cultivate the land, his disobedience of the order will attract Section 36 of the Indian Forest Act, which states that 'the state government may declare that all or any of the provisions of this Act relating to reserved forests shall apply to such forest or land'. Thus even if the land is restored to the farmer, it is likely to be acquired once again by virtue of Section 36 of the Indian Forest Act.

'Land to the Tiller'

Farmers, especially the tribals, in the entire Konkan division have begun protesting against the acquisition and the entries in the land records. They have demanded immediate cancellation of all mutation entries made in this regard, as the mutations have been ordered by a non-competent authority, have been made without following the procedures laid down by the MLR Code, and have thus been made behind the back of the concerned farmer. They are also demanding a review of the Maharashtra Private Forests (Acquisition) Act, seeking exemption from acquisition for all lands in the possession of tribal farmers, all lands sold under the Tenancy Act, all lands being cultivated by non-recorded tenants, and all lands received through the Ceiling Act, or any other land reform legislation. They are also seeking an amendment to Section 24(2) of the said act, repealing Section 35 and other related sections from the IF Act. If this is done, then even after the land is restored, it will not fall within the definition of 'private forest', and will thus escape the remarks 'attracting the provisions of the Maharashtra Private Forest Acquisition Act' and 'use for non-forest purpose prohibited without prior permission of central government'. It is imperative that the state government immediately adjusts the hands of the land reforms clock that is running backwards. It needs to reaffirm its commitment to the slogan 'land to the tiller'.

References

AIR. 1997. *Supreme Court 1228: T. N. Godavarman Thirumulkpad vs Union of India.* New Delhi: Supreme Court of India.

Bhuskute, R. V. nd. 'Khazgi Van Jamin'. Unpublished note.

Dalvi, Surekha. 2001. 'Sarkar Britishanche Varasdar ki M Phulyanche?'. *Maharashtra Times.* 27 November.

Deshpande, Swati. 2001. 'HC Pulls up Government for Neglecting Forest Land Documentation'. *The Times of India.* 14 November.

8

Illegal Acquisition in Tribal Areas*

K. Balagopal

The tribal areas of Andhra Pradesh present a disheartening picture: events are fast overtaking the adivasis, and there is no concerted effort to oppose them. Land and the produce of the forest remain their main source of livelihood, but availability of land is restricted by forest reservation on the one hand, and non-tribal encroachment on the other. They cannot move out of the forests and seek livelihood in the strange and—it often seems to them—hostile society of the plains. Where they do, they are exploited ruthlessly by the plainspeople. In the forests, their struggle to increase their livelihood opportunities calls up clashes with the forest department and the non-tribals.

Over the years a precarious balance has been struck in the matter, thanks to the assistance the adivasis have received from a variety of political forces, the Naxalites in particular, and social activists, but the balance is ruptured harshly when the government steps in with proposals of forest-based projects. The Polavaram dam on the Godavari river, which will submerge upwards of 270 villages, all of them located in the scheduled area of Khammam, East and West Godavari districts, and the bauxite mining project in the tribal area of Visakhapatnam district, which will displace many more tribal hamlets than the government's plan would admit, are the focus of considerable tribal unrest. Before that, a mention needs to be made about unrest related to non-tribal encroachment on to tribal land, an unrest that has taken severe form from the early 1990s.

Andhra Pradesh has a scheduled area in nine districts, and perhaps the most stringent law prohibiting alienation of tribal land to non-tribals. Not only are non-tribals prohibited from purchasing tribal land, they cannot (ever since the regulation 1 of 1970 was promulgated on 3 February 1970) purchase land even from a non-tribal. The law presumes that all land in the scheduled areas originally belonged to the STs. If a non-tribal has got possession of it before there was any prohibition, or with the consent of the agent to the government when purchase with such consent was permitted prior to 1970, he cannot be disturbed. But when he wants to sell the land and leave the forests, the land must not get into the hands of another non-tribal

* *Economic and Political Weekly* 42 (40), 6 October 2007.

but must be available to tribals. He must sell it to tribals or to the government, which in turn is expected to distribute it to tribals.

The law further presumes that every non-tribal who has land in the scheduled areas has purchased it from a tribal, and puts on such non-tribal the burden of proving that neither he nor his predecessor in title purchased it from a tribal. The law moreover directs the government not to wait for a tribal to complain. An enquiry is permitted to be taken up by the government on its own (suo motu is the legal expression) into all occupation of land in the scheduled areas by the non-tribals, and the burden of proving the legality of their occupation is put upon the non-tribals. This is the substance of the land transfer regulation or LTR as it is briefly called (its full name in all its glory is: Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 as amended by regulation 1 of 1970).

Ineffective Enquiries

Yet, the reality is that out of the 72,000 cases decided under the LTR till 30 September 2005, 33,319 were decided in favour of the non-tribals and 33,078 against them. Of the 3,21,683 acres of land involved in these cases, 1,62,989 acres were confirmed in favour of non-tribals and 1,33,636 against them. If this had been reflective of the ground reality—there has been some kind of prohibition of transfer of tribal land only after 1917 in the Andhra area and 1963 in the Telangana area, and until 1959 tribal land could be purchased by a non-tribal with the consent of the agent or district collector even in the Andhra area—there is nothing much one could have said about it except to ask for a more stringent law. But that is not so. Most of these enquiries took place well before there was any class of even minimally educated persons among the STs. The enquiries, therefore, took place over their heads. They had no idea what was going in the LTR cases, and perforce had to depend upon the honesty of any lawyer they may have engaged (which was not often), the government officials who prepare and keep the records, and the higher government officials who hear and decide LTR cases. And it need not be added that honesty is not a very common attribute of 'vakils' and the 'babus'.

The enquiries also took place behind their backs, in many cases. The suo motu power given to the government to proceed against non-tribals without waiting for a complaint from a tribal sounds like a good thing, but in the given administrative culture, it has perhaps been more of a boon to the non-tribals than to the tribals. In proceedings taken up suo motu by the government, the non-tribal faces only the government. The government does not take the trouble of finding out who among the local tribals may have a claim to the land. It does not publicise the enquiry in the village. The officer hearing the cases (designated a special deputy collector) merely looks into the documents provided by the non-tribal, and if they appear reliable, okays the right of the non-tribal. In the worst case, where the officer is approachable, the non-tribal actually 'persuades' him to take up a case against him, gets an order declaring that his occupation is within the law, and uses the order against all subsequent bona fide efforts to enquire into his right.

The early 1990s saw the rise of the first generation of school-educated tribals all over the state. In Jeelugumilli mandal of West Godavari district, they found an NGO called 'Shakthi', which had just the kind of activism that the legal situation needed. It taught them the rudiments of the law and the meaning of land records. Joined to the natural militancy of forest-dwellers, it became a potent force. They occupied the land held by non-tribals which they had reason to believe to be adivasi land, unmindful whether in the days of their illiterate forebears some special deputy collector had put his seal of approval on the non-tribals' right to it. And they fought cases before the officers and the courts. Their demand in the matter of the concluded enquiries and the settled rights of the non-tribals was simple: all that happened when we knew nothing about the law or administration. Let all the enquiries be reopened and done afresh, with opportunity to us to contest the cases. This was a far-reaching but just demand which would require legislative initiative. Needless to say, nothing was done except for an executive order confined to West Godavari district, which asked the local revenue officers to sit in the villages and read the land records in the presence of the tribal and non-tribal villagers, take their views, and identify illegality in land occupation of non-tribals for taking further action. That executive order was implemented in just a couple of villages and literally hundreds of acres were found to be under illegal occupation. Thereafter, however, its implementation was frustrated by the intransigence of the non-tribals.

Role of High Court Exposed

One of the institutions exposed by the struggle of the newly awakened adivasi youth was the high court of Andhra Pradesh. When it was questioned why non-tribals were in possession of so many doubtful acres in West Godavari district, it came to light that one of the reasons was a series of dubious orders passed by the high court. In the 1970s and 1980s, non-tribals of one village after another in the district had made applications to the President of India saying that their village had been wrongly included in the scheduled area and should be excluded. They then filed writ petitions in the high court and got all LTR proceedings in their villages stayed until the President of India takes some decision on their application! That a constitutional court could treat a regulation passed under the fifth schedule to the Constitution so cavalierly is a telling comment on the constitutional world view that prevails with our judiciary. The tribal uprising of West Godavari district shamed the high court into hastily vacating the stay orders.

But this is just the role played by the courts, especially the high court with its extraordinary powers under the Constitution, in matters of land rights of the tribals or other poor under redistributive statutes. Most of these rights are adjudicated by administrative officers exercising some kind of judicial powers (the law calls it a quasi-judicial power). The idea behind putting them outside the purview of the courts and in the hands of the administrative officers appears to have been avoidance of the delay for which civil courts are famous. But the remedy has not been able to avoid the ills of civil litigation. Firstly, most of these statutes provide for a primary

forum (the tahsildar or the revenue sub-divisional officer) and one or two appeals within the administration, with a power of review placed in the hands of the government. Nobody knows why such an elaborate adjudicatory regime was devised for laws meant to provide a quick remedy for landlessness. And at any stage in this process the high court can interfere to correct procedural or jurisdictional errors, which will be plenty because the administrative officers know little law and care less. So these cases often travel up and down the hierarchical ladder of primary and appellate authorities, with the possession of the landlord or non-tribal landholders kept intact meanwhile by interlocutory orders of the high court. Which brings us to the second point, namely, that courts in our country have not developed a public law perspective on land disputes under redistributive laws that is distinct from the judicial view of property disputes in private law. In the private law view, the one who is in possession of the property usually has his possession protected until the entire litigation comes to an end. In a proper public law view, once the primary forum passes an order holding the landlord/non-tribal landholder ineligible for enjoying the land, he should be evicted and the land put in the hands of the poor for whom the proceedings are intended, leaving it to the landlord/non-tribal landholder to litigate at leisure up and down the adjudicative ladder. Lack of such a perspective in judicial thinking has meant that a non-tribal who has not an iota of right to the land in his possession in the scheduled areas can enjoy it for decades on the strength of stay orders obtained from the high court while pursuing his rights in the unending adjudication by the babus of the revenue department.

Reforms—A Mirage

The demand for reopening all the thousands of cases decided in favour of non-tribals in the past remains, and its articulate and inarticulate expression is reflected in the frequently reported incidents of clashes between tribals and non-tribals in the scheduled areas. Unless the tribal land struggle takes a much more strong form, it is most unlikely that the government will take any steps to make this possible. For the motto of all land reform measures in India has been to do what little can be done for the poor without hurting the rich too much. Speaking of the scheduled areas of Andhra Pradesh, this is reflected, for instance, in the grant of ryotwari title to non-tribals in continuous occupation of unsettled land under the ryotwari settlement regulations (Regulation 2 of 1970) for scheduled areas. A good opportunity to get hold of a lot of land for distribution to landless adivasis was lost by deciding not to evict such non-tribals. But it was not an innocent mistake, for lobbies of the privileged constantly work to weaken all reform.

Forest land, therefore, becomes so important for the adivasis. If they are unable to withstand the onslaught of the non-tribals, and if the government will do only so much damage to the privileges of the influential in the interests of the wretched, the only thing the adivasis can do is to fall back on the forests. The law calls this encroachment but the law itself is the encroacher in tribal habitat. It is more properly called customary occupation, a view that at long last the law too has

taken, with the STs and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, (Act 2 of 2007). For India as a whole, tribal occupation described post-factum as encroachment, plus actual encroachment by non-tribal interests in the forests, is estimated to be 38.58 lakh acres, of which Andhra Pradesh contributes about 7.5 lakhs, which is close to 20 per cent. This state is next only to Assam in the extent of this 'encroachment'. (These are figures valid up to March 2004.) Andhra Pradesh also has the distinction that not one acre of the tribal occupation called encroachment has been regularised. One does not have a complete break-up of the 7.5 lakh acres, but in an affidavit filed in the high court by the state government some years ago, it was claimed that tribals supported by the Naxalites had occupied upwards of four lakh acres in the forests. Whatever the merits of the argument against deforestation, it is a stark fact that this has made all the difference between destitution and bare existence for the adivasis.

Polavaram Project

And then the projects started coming. Polavaram project on the Godavari river is located in the scheduled area and will displace (according to a 15-year-old estimate) a minimum of 276 villages, all of them located in the scheduled area. The population likely to be affected would be about a lakh and a half, of which slightly more than half are adivasis. This project should, in fact, have been a test case for the constitutional law of self-governance in the scheduled areas: The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 or PESA as it is popularly called. That law provides for self-governance by the gram sabha in the specific sense of the power to safeguard and preserve traditions and customs, cultural identity, community resources, the power to prevent land alienation, mandatory consultation with the gram sabha or panchayat at the appropriate level in the matter of land acquisition and rehabilitation, etc. It should not have been easy to undertake the project in the face of these formidable-looking provisions, but the government is happily going ahead. While nine mandals will be affected, all of them in the scheduled areas, and the mandal praja parishad (the middle tier of the panchayat system) is the 'panchayat at the appropriate level' that has to be consulted for land acquisition and rehabilitation, not a single one of the nine has been consulted. But the work on the project is proceeding apace, notwithstanding serious opposition from the adivasis.

When fears were expressed that even if comprehensive rehabilitation is undertaken, rehabilitation of the adivasis outside the scheduled area would affect them seriously in more than one way, for they would not only be deprived of land, habitations and the natural bounty of the forests, but also the special rights recognised by the special laws applicable to the scheduled areas, the government came forward with the assurance that all the displaced adivasis will be rehabilitated in the scheduled area itself. This sounded so ridiculous that no one took it seriously, for there is no land left unoccupied in the scheduled area, much of it being forests and the rest of it inhabited. It is indeed unlikely that the government will be able to

rehabilitate all of them as promised, but it has found a crooked way to accommodate some at least and demonstrate its alleged will. There is a considerable amount of land in the scheduled areas which is under the occupation of tribals but to which some non-tribal has title on paper. The most common instances are lands for which the tribals have fought the non-tribals, and successfully taken into their possession. Another is land for which some non-tribal has acquired ryotwari title in settlement proceedings, but tribal occupants of the lands who know nothing of the proceedings continue to be in possession, resisting the efforts of the non-tribal to enter the lands. The non-tribals concerned are only too glad to 'sell' that land to the government, take compensation for something which had long ceased to be theirs, or had indeed never been theirs, and leave the forests.

Duplicitous Moves

The government is not acquiring these lands under the Land Acquisition Act. It is aware that if it does, the rights of the adivasis in possession would come in question, for that much-maligned law permits all claimants to the land under acquisition to object to the process. Instead, it is straightaway purchasing the land from the willing non-tribals for whom the purchase price is an unsolicited gift. The LTR, in fact, does not permit this, for it says that a non-tribal wishing to sell land in the scheduled area should try to sell it to tribals, and only if he fails to find such buyers the government may buy it. Flouting this regulation, the government is straightaway purchasing such land from non-tribals, evicting the tribals in occupation, and building colonies for rehabilitation of tribals to be displaced by the reservoir in the days to come.

Neat, is it not? Successful adivasi land struggles are defeated, the defeated non-tribal is compensated, the uppity tribals are shown their place, and the government's promise of rehabilitation for the displaced adivasis in the scheduled areas is kept. A revenue divisional officer of Rampachodavaram in East Godavari district, who purchased 572 acres of such disputed land, paying two crores to non-tribals, in the two-month period between March and May 2006, is said to have received much appreciation from his superiors. The babus are certainly efficient when and where they want to be. Alert adivasis moved the high court against this fraud but the high court first insisted that all the non-tribals whose lands have thus been purchased must be impleaded as parties, and then refused to stay the eviction of the tribals in possession of the purchased land, saying that no such blanket injunction can be given. But as all the adivasis to be displaced by the Polavaram dam can hardly be accommodated by such means, there is considerable unrest and agitation in store, especially in Khammam district where much of the displacement lies, and in whose thickly forested and undulating terrain there is little scope for replicating the trick tried successfully in east Godavari district.

Tragic Tale of Internal Refugees

The northern part of Khammam district along the Chhattisgarh border is the scene of a more violent suppression of adivasi land rights. There are about 35 forest

habitations, home to between nine and 190 families each adding up to 1,380 families in total, put up in the last two years and more by Gothi Koya or Muria immigrants from Dantewara district of Chhattisgarh. These are refugees of the salwa judum-Maoist conflict, mostly victims of salwa judum attacks on villages suspected of harbouring the Maoists. Unable to live in Dantewara any longer, these refugees have put up huts in the forests of Khammam district. They have been careful not to cultivate land, but have merely put up huts and are labouring in neighbouring adivasi villages for livelihood. Since the conflict in Dantewara started in June 2005, many of these immigrants have entered and put up huts in the Khammam forests prior to 13 December 2005, the magic cut-off date for Act 2 of 2007: rights of habitation and usufruct enjoyed by adivasis in the forests prior to that date are protected by that law. And so the forest department personnel of Khammam should not be troubling these people, but they are regularly burning down the miserable huts and trying to drive the immigrants back to Dantewara, which means death or starvation. Sarivela-Kothuru and Sunnam Matka are two habitations that have been set on fire not less than five times, the last time being on 1 September this year. This is a brutal continuation of the Chhattisgarh tragedy beyond that state's borders, and it leaves the adivasis shelterless in the sun and the rain. Parenthetically, it must be said that while India is signatory to international instruments concerning refugees, and has been kind to some such as the Tibetans and Myanmarese, it has no law or policy concerning internal refugees, of whom the most numerous are adivasis, whether driven by hunger or projects or social conflict.

The Bauxite Mining Project

We will end with bauxite mining, which is a more comprehensive saga of riding roughshod over the legal regime applicable to the scheduled areas and the rights of the STs. Bauxite-ore is available on an extensive scale in a belt stretching from southern Orissa to northern Andhra Pradesh. The whole of it is in the scheduled areas. It is being mined vigorously by Orissa in the districts of Rayagada, Kalahandi and Koraput. Excepting the NALCO's project at Damanjodi, all the others are in the private sector. This is contrary not just to the law but the Constitution as well, for grant of mining lease in the scheduled areas to non-tribals amounts to transfer of land from the government to a non-tribal, which the fifth schedule to the Constitution prohibits, as held by the Supreme Court in *Samatha vs State of AP* (1997). Not that displacement by a public sector unit is less painful, but what is in issue is the casualness of the whole thing. The government of Orissa has been indulging in bluff, claiming that the Samatha judgment applies only to Andhra Pradesh and not to other states. That is rubbish, but nobody in Orissa has been willing to call the bluff. Since not only mining of ore, but its processing to produce alumina for export is also being undertaken in the scheduled area, considerable extent of land is being handed over to the companies. The mine site, the site for the refinery and the captive power plant, and the sites for the ash pond and effluent (red mud) pond, are the actual extents of land taken over, but a lot of land nearby will become uninhabitable and uncultivable once the industry starts. Any unilateral

decision of the government in these matters without reference to the gram sabhas of the affected villages is contrary to PESA, but Orissa is going ahead unmindful. Where the administration felt it necessary to have the consent of the gram sabha, it has commandeered the consent by police force. And where it found it had no answer to the resistance of the people, it has put it down by brute force. Three adivasis were killed at Maikanch in Kashipur block of Rayagada district on 16 December 2000, and hundreds have been jailed before and thereafter. The resistance of the adivasis has, however, been remarkable, especially against the Utkal Aluminium's project at Kucheipadar in Kashipur block.

The bauxite ore extends into the scheduled area of Visakhapatnam district of Andhra Pradesh. Proposals to lease land to a private company for mining and processing the ore were initiated during Chandrababu Naidu's days, but since Andhra Pradesh at any rate cannot say that the Samatha judgment does not apply, the efforts were abandoned. It is typical of Chandrababu's mindset that he tried to get the fifth schedule to the Constitution itself amended to save his aluminium project. And it is typical of the influence he wielded at Delhi in those days that his proposal was taken as an order and a note prepared by the union ministry of mines for amending the Constitution! Nothing happened, fortunately, and after Y. S. Rajasekhara Reddy became chief minister, the government decided to cheat the law rather than amend it. Two mining sites have been chosen, and the mining leases have been given to the public sector AP Mineral Development Corporation (APMDC), which will mine the ore and sell it to private concerns that will process it outside the scheduled area. The APMDC is thus a benami for the private concerns. Whatever the legality of this devise (the LTR specifically bars benami transactions in favour of non-tribals), it does not answer the main concern of the adivasis. Bauxite is found on flat-topped hills, and while the government typically points to the small extent of the mine site, which is usually uninhabited, the concern is with the displacing effect the mining will have in the valley around, and the effect on the drainage of water that runs off the bauxite hill. Quite extensive displacement and severe pollution of water sources are certain, and the adivasis are almost unanimously against the project. Since the land losers at the processing sites outside the scheduled area are equally vigorously opposing the land acquisition, the bauxite project of the government is facing serious opposition.

The issue is not to be answered by rhetorically counter-posing development of the country to the myopic self-centredness of the few. Either development will be defined to include the needs and aspirations of all, or every project will be a scene of conflict as India heads hungrily towards two-digit growth. Unlike in the trustful days of the past, the notion of development is looked at sceptically by the smallest people today, which is a welcome change. The tendency to pretend that nothing has changed, with its concomitant insensitivity to opposition, inevitably leaves the matter to the police, resulting in broken heads and worse. That is entirely unacceptable, whatever differences there may be about the meaning and need of development.

Section III

Forest Degradation and Forest Communities

9

Forest Degradation, Changing Workforce Structure and Population Redistribution

The Case of Birhors in Jharkhand[*]

Sohel Firdos

I

Introduction

The forests of India play a crucial role in meeting a wide diversity of needs for millions (Poffenberger et al. 1996). Forest-dwellers living in and around forest lands comprise a population of 100 million. For these people, forests are an important source of livelihood and means of survival (Saxena 1999). The nature and degree of dependence on forests vary across population groups. The long association of the tribes with the forest and their lower levels of socio-economic development have resulted in a higher dependence of tribals on the forest for a livelihood than other population groups. Moreover, a number of small tribal groups are completely dependent on the forest for their livelihood. Fernandes et al. (1984) argue that the destruction of forests over the past few decades has deprived tribals of their livelihood, particularly source of food. It has also resulted in their impoverishment, indebtedness and, in many cases, land alienation and even bondage (Fernandes and Menon 1987). These studies basically describe the economy of tribes in a changed ecological context, but fail to trace the path of transition. The present article tries to capture the trajectory of change in the livelihood patterns of Birhors, one of the smallest tribal groups of central India, in a spatio-temporal context based on empirical evidences. Though they were traditionally a nomadic tribal group, most of the Birhors have now settled down. They are primarily distributed over the adjoining districts of present-day Jharkhand, Chhattisgarh, Orissa and West Bengal. However, they are mainly concentrated in Hazaribagh, Ranchi and Singhbhum districts of

[*] *Economic and Political Weekly* 40 (8), 19 February 2005.

Jharkhand. The Government of India has declared them as one of the Primitive Tribal Groups (PTG), considered to be among the most vulnerable tribal groups (http://tribal.nic.in). According to the 1991 Census, the Birhor has a population of 8,038 and a literacy rate of 15 per cent in Jharkhand.[1] Traditionally, they are a food gathering and hunting community and their economic activities have been closely linked with the forest. Rope-making by collecting 'Bahunia' creeper has been their major source of income. At present their economic activities are conditioned by survival strategies, and consequently they have been pursuing whatever activities are immediately available. The degradation of forests has affected their traditional economy and introduced a certain level of instability.

This article examines the inter-relationship between the severe degradation of forest resources and the changes in the workforce structure of the Birhor, its impact on their population distribution and growth in the districts of Jharkhand. Population distribution and growth has been investigated following the currently held view that their population has been declining or has remained stagnant (Sahu 1995; Trimmel). The study harnesses secondary as well as primary sources of data such as the census and the State of the Forest Survey, and a field survey conducted in the Birhor settlements of Angara and Silli block in Ranchi district. The boundaries of districts in present-day Jharkhand have undergone significant changes since the 1961 Census, but the study takes into consideration the district boundaries as they existed in 1961 in order to maintain spatial consistency for a temporal analysis. As a result, the district boundaries in the subsequent censuses of 1971, 1981 and 1991 have been readjusted to bring the districts on par with those of 1961 and district names also remain the same as in 1961. The study begins with an analysis of the present forest cover and the changes that have occurred over just two years. It then analyses the spatio-temporal changes in the workforce structure of the Birhors, and tries to detect a relationship between the degradation of the forest cover and the effective changes that it has brought about in the workforce. Finally, it makes an attempt to explore how the changes in the workforce have led to their population redistribution within the districts of Jharkhand.

II

FOREST RESOURCES

The forest cover in the central plateau of India constitutes about one-half of the country's total forest cover and has a high proportion of tribal population (Saxena 1999). The natural forests in this area have suffered severe degradation over the past two centuries. Deforestation has accelerated even faster during the past three decades (Poffenberger 1996). Forest cover in Jharkhand has experienced massive destruction but it still is considerably higher than in other states. Forests cover about 30 per cent of the total geographical area of the state. However, there are wider regional variations in forest cover within Jharkhand. Districts like Palamau, Hazaribagh and Singhbhum still have a high proportion of forest cover (above 35 per cent). Ranchi has about one-fourth of its geographical area under forest. Dhanbad has very little

area under forest while in Santhal Parganas it is only 13 per cent. The decline in the forest cover continues unabated (see Table 9.1).

TABLE 9.1: Area under Forest, 1999

District	Geographical Area (in Sq Km)	Dense Forest	Area under Forest (in Sq Km) Open Forest	Total	Change from 1997	Forest Area (Per Cent)
Dhanbad	2996	7	94	101	–1	4.84
Hazaribagh	18057	2962	3261	6223	–26	36.20
Palamau	12749	2754	2043	4797	–6	40.84
Ranchi	18266	2083	2420	4503	–8	25.85
Singhbhum	13440	2964	1562	4526	–32	35.61
Santhal Parganas	14206	281	1213	1494	25	13.14
Jharkhand	79714	11051	10593	21644	–48	29.18

Source: State of the Forest Report, 1999.

Though the district level distribution of forest cover gives a broad idea, it conceals intra-district disparities. Data at the village level provides a better picture in terms of availability and possible access of villagers to the forests. Village level data is available from Census of India, 1991, when Jharkhand was part of Bihar and it has been compiled in the *State of the Forest Report, 1999*. Since we know that most forest cover of the undivided Bihar was in the present-day Jharkhand state, we may safely state that the data on forests in Bihar speak about the present-day Jharkhand.

According to the 1991 Census, 17,044 villages in Bihar are reported to have forests, with a total forest area of 2.5 mn ha. These villages support a population of 11.21 mn people. Table 9.2 reveals the skewed distribution of forest cover among the villages. A majority of villages (more than two-thirds) have less than 100 ha of land, has only 17 per cent of forest area, and has more than half of the population living in the forest. This indicates that the pressure on forest in the majority of villages is enormous in terms of supply of fodder, fuel and source of livelihood. At the other extreme, only 6 per cent of the villages have high forest cover, with about 40 per cent of the land area under forest cover and need to support only about 10 per cent of the forest-dwelling population. The field survey conducted by the author showed that the villages inhabited by Birhors is left with little forest and is highly degraded. The Bahunia creeper, which they earlier used to collect from the forest for making ropes, has almost vanished. This has deprived them of their major source of income. They collect mahua and lac from forests seasonally to sell it in the market. The annual average household income from selling mahua and lac are Rs 300 and Rs 500 respectively. The adverse impacts of the deteriorating sources of livelihood are clearly visible in the workforce structure, which we discuss in the next section.

TABLE 9.2: Distribution of Forest Area by Village and Population

Forest Area	No of Villages	Total Forest Area (ha)	Population	Per Capita Forest
Less than 100 ha	11389 (66.82)	416595 (16.65)	6209529 (55.42)	0.07
100-500 ha	4695 (27.55)	1099036 (43.92)	3861870 (34.47)	0.28
More than 500 ha	960 (5.63)	986506 (39.43)	1133721 (10.12)	0.87
Total	17044 (100.00)	2502137 (100.00)	11205120 (100.00)	0.22

Note: Figures in parentheses are percentages to the respective column totals and have been computed by the author.
Source: *State of the Forest Report*, 1999.

III

CHANGING WORKFORCE STRUCTURE

The trend in the changing activities of the Birhors is discernible from previous studies. Roy (1925) observed that the hunting of wild game was their main subsistence activity. Prasad (1961) reported that a majority of Birhors are landless and live mainly by hunting and selling ropes. Adhikary (1984), studying the Birhors of Bonaigarh subdivision in Orissa, remarked that they pursue a number of occupations; making of rope and rope-made products is the primary activity and hunting monkeys and other wild game is their next most important occupation. These studies clearly show that there has been a replacement of one activity by another in terms of primacy, from hunting to rope-making, and the change must have been brought in by declining forest resources. It would be interesting to examine the degree, intensity and direction of change in their economic activities with the increased degradation of forest cover. It would also be interesting to examine the spatial patterns of this change, as there are wide variations in the forest coverage as well as the degree of degradation in the districts. We have tried to draw a trajectory of change in the Birhors economic activities by analysing their workforce structure spanning over three decades, from 1961 to 1991, drawing from census data. This is followed by a discussion of their current activities based on the data collected from the field in 1999. The changes in the workforce structure over the periods 1961–71 and 1971–81 have been analysed at the state as well as district levels. The data for 1981–91 has been presented at the state level only as the Census 1991 has not published data on workforce for individual tribal groups at the district level.

The period 1961–71: The 1960s witnessed a major shift in the workforce structure of the Birhors. The traditional occupation of rope-making declined in importance, as the forests were no longer able to supply the raw material required for this purpose. A large number of workers moved to the agricultural sector to work as agricultural labourers (see Table 9.3). The share of workers in household industry[2] (rope-making) came down drastically from 53.51 per cent to 37.49 per cent; on the

other hand, the share of agricultural labourers went up significantly from 12.16 per cent to 31.25 per cent. The share of cultivators came down from 19.67 per cent to 16.36 per cent. The share of workers in occupations such as forestry and livestock increased slightly from 6.22 per cent to 9.02 per cent.

TABLE 9.3: Distribution of Birhor Workers by Industrial Categories in Jharkhand
(Per cent)

Category	1961	1971	1981	1991
Cultivators	19.67	16.36	11.99	43.1
Agricultural labourers	12.16	31.25	23.13	30.74
Livestock, fishing, etc	6.22	9.02	15.97	4.19
Mining and quarrying				1.08
Household industry (rope making)	53.51	37.49	36.18	11.3
Other than household industry	2.00	5.43	9.44	7.23
Construction	–	–	0.11	0.15
Trade and commerce	–	–	0.21	0.33
Transport, storage and communications	–	–	0.21	0.30
Other services	6.44	0.22	2.71	1.57

Notes: (1) The workforce date for 1961 Census is not comparable with later ones due to change in the definition of workers.
(2) The data presented for 1991 is for Bihar. The workforce data for different tribal groups is not available at the district level. However, as the Birhors are concentrated in Jharkhand, this data can be considered to represent Jharkhand.

Source: Computed by the author from Census of India Special Tables for Scheduled Tribes for the respective years.

If we examine the patterns of change at the district level, a differential nature of change is observed. During the 1960s, the share of cultivators went up in Singhbhum, remained almost the same in Ranchi while Hazaribagh recorded a decline (see Table 9.4). The proportion of agricultural labourers registered a significant increase in Hazaribagh and Ranchi and a slight decline in Singhbhum. Increase in the number of agricultural labourers in Hazaribagh and Ranchi happened at the cost of the traditional occupation of rope-making, as there is a corresponding significant decline in this activity. However, it is interesting to note that this trend is not observed in Singhbhum. The share of workers in rope-making registered an increase and there was a corresponding decline in that of agricultural labourers. It is also encouraging to note that the share of workers in forestry gathering recorded a sharp increase. Another distinctive feature is the homogeneity in their workforce structure in Palamau and Dhanbad in the 1971 Census. The entire Birhor workforce

TABLE 9.4: Districtwise Distribution of Birhor Workers by Industrial Category
(Per cent)

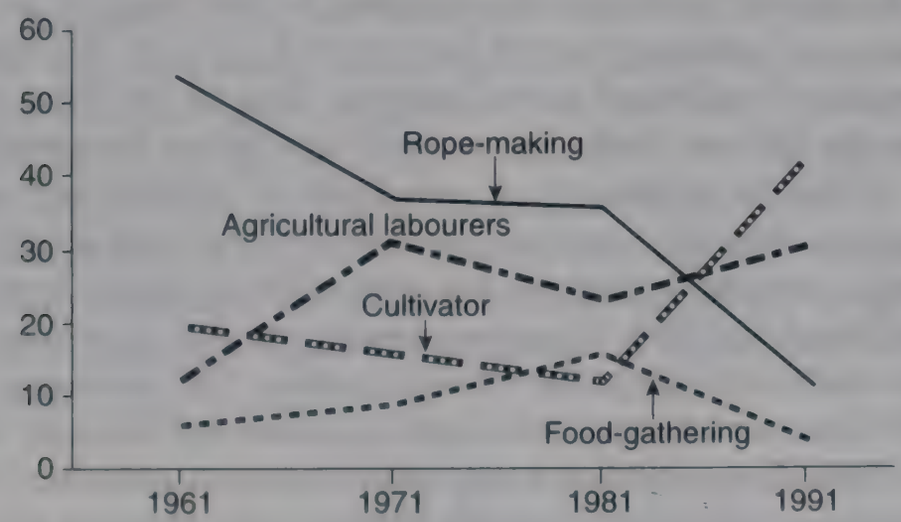
District		Cultivators	Agricultural Labourers	Livestock, Fishing, etc	Household Industry	Other than Household	Construction	Trade and Commerce	Transport, Storage and Communications	Other Services
Santhal Parganas	1981	83.33	–	–	16.67	–	–	–	–	–
	1971	–	–	–	–	–	–	–	–	–
	1961	–	–	–	–	–	–	–	–	–
Palamau	1981	8.33	55.00	31.67	–	–	–	–	–	3.33
	1971	–	–	–	100.00	–	–	–	–	–
	1961	–	–	–	–	–	–	–	–	–
Hazaribagh	1981	6.39	21.72	25.00	31.30	12.96	–	0.18	–	2.46
	1971	14.52	33.00	13.90	31.02	7.07	–	–	–	0.12
	1961	16.13	9.83	12.90	47.77	1.38	–	–	–	11.98
Ranchi	1981	26.79	27.98	–	40.08	2.18	–	0.20	–	2.78
	1971	26.84	40.71	0.29	31.27	0.29	–	–	–	0.59
	1961	27.20	13.51	0.51	58.11	–	–	–	–	0.68
Dhanbad	1981	3.92	7.84	5.88	39.22	19.61	3.92	1.96	3.92	13.73
	1971	–	–	–	100.00	–	–	–	–	–
	1961	–	–	–	–	–	–	–	–	–
Singhbhum	1981	2.47	12.35	3.09	70.99	9.26	–	–	1.23	0.62
	1971	9.20	13.50	6.13	61.35	9.82	–	–	–	–
	1961	5.81	16.77	–	60.00	12.26	–	–	–	5.16

Source: Computed by the author based on Census of India, Bihar, Special Tables for Scheduled Tribes for the respective census years.

is engaged in rope-making in these two districts. However, it would be worthwhile to mention that their population was recorded in these two districts starting only from the 1971 Census and not prior to that. It may be said with a great level of certainty that the Birhors enumerated in these two districts are immigrants who came to pursue their economic activity of rope-making. We will discuss it in detail in the section on population.

The 1971–81 period: The direction and intensity of the change in workforce structure took a different turn during the 1970s. A sizeable segment of agricultural labourers reverted to one of their traditional occupations of forest gathering (see Figure 9.1). The share of agricultural labourers declined from 31.25 per cent to 23.13 per cent, while the share of workers in livestock, forestry and related activities increased from 9 per cent to 16 per cent. This clearly indicates either that they could not adjust themselves to their new occupation of agricultural labour, or that the opportunities to work as agricultural labourers declined. It is interesting to note that the share of workers in another traditional occupation (rope-making) did not witness any major change during 1971–81, declining marginally from 37 to 36 per cent. The process of land alienation, which started in the 1960s continued in the 1970s as the share of cultivators further declined from 16 to 12 per cent.

FIGURE 9.1: A Change in Workforce Structure



The district-level analysis reveals that the shift in workforce took place in all three districts but with a differential direction. Though the workers moved out of agricultural activities in all these districts, they embraced two different activities. Cultivators and agricultural labourers both moved to their traditional occupation of forest-gathering in Hazaribagh, while agricultural labourers moved into another traditional occupation, rope-making, in Ranchi. In Singhbhum, the shift of workers took place from cultivation as well as food-gathering to rope-making. The differential nature of shifts in these three districts is explained by different survival strategies adopted by the people. In case of Ranchi, the workers resorted to rope-making as they had a market for it. The degraded forest cover in the district prevented them from taking up food-gathering. In case of Hazaribagh, the existence of a large forest area helped the workers get back to their traditional economic activity of forest-

gathering, while in Singhbhum, the availability of market may have prompted even some of the forest-gatherers to take up rope-making.

It may be recalled that, according to the 1971 Census, the entire workforce was engaged in rope-making in Dhanbad and Palamau. The workforce underwent a dramatic change during 1971–81 in these two districts. In Dhanbad, a significant proportion of workers shifted from rope-making to non-household industry and other services, while in Palamau they moved to agricultural labour and food-gathering. It is clear from such a shift that though they might have migrated to these districts to pursue rope-making, they could not continue with it possibly due to non-availability of a market. Once rope-making could not sustain them, they looked for other available opportunities. They could not go back to their other traditional activity of food-gathering in Dhanbad because of a minimal forest cover, on the other hand, a significant segment of workers took up food-gathering in Palamau due to availability of forest. This suggests that they always tend to take up their traditional activities provided the necessary resources are available.

The 1981–91 period: The 1980s saw the reversal of trends observed during the previous decade. Workers shifted from their traditional occupations of rope-making and gathering to the agricultural sector. A very large percentage of workers became cultivators, whose share increased from 12 per cent to 43 per cent, the proportion of agricultural labourers rose from 23 per cent to 31 per cent. On the other hand, the share of workers in rope-making declined from 36 per cent to 11 per cent and in food-gathering from 15 per cent to 4 per cent. The increase in the share of cultivators is attributed to the initiative taken by the Bihar government to rehabilitate the Birhors. Under the scheme, each Birhor household was given 50 decimals of land to cultivate along with a pair of bullocks and paddy seeds. This prompted the Birhors to take up cultivation, though this activity could not sustain for long as revealed through the data collected by the author from two Birhor settlements of Ranchi in 1999. The survey reveals that they have once again gone back to their traditional occupation of rope-making. On examining the factors responsible for their not adopting agriculture, it appears that the rocky and infertile land given to them along with their non-acquaintance with agriculture discouraged them from pursuing cultivation. However, Sarkar (1990) observed that the efforts made by the government to resettle and sedentise the nomadic Birhors have failed because they are mentally and psychologically not able to adapt themselves to this kind of occupation.

SOURCES OF LIVELIHOOD OF BIRHORS

As stated earlier, the traditional sources of livelihood of the Birhor was hunting and gathering along with rope-making. All these activities were sustained by the forest. The degradation of forest land coupled with restrictions on their access to the forests has forced them out of their traditional occupation. They have now adopted a number of activities to earn a livelihood. The field survey reveals a very high proportion (61 per cent) of the population to be workers, suggesting that economic duress has compelled even the non-working age group to seek work. As economic opportunities

are limited and the returns from work are small, every hand is welcome. Of the total workers, an overwhelming majority (71.89 per cent) is engaged in rope-making. About one-tenth is engaged in food gathering. Activities with better wages absorb only a small percentage of workers. Occupations such as earth digging, masonry, quarrying and carpentry employ 2.61, 3.26, 3.92 and 4.57 per cent of workers respectively. Persons engaged in quarrying are being paid Rs 1,800 per month and they have a job for six months. A carpenter earns Rs 1,200 per month; a mason earns Rs 750 per month and a person involved in earth digging also earns same amount. However, only a few among them are employed in these activities. They are also engaged as wage labourers in the harvesting and sowing seasons. But wage labour is a subsidiary activity.

Cost and benefits of rope-making: There are three sources of raw material for making ropes. One is the collection of Bahunia creepers from the forest. The second is buying jute from the market and processing it to make rope, and the third is the material supplied by the customer for making rope and the wage being paid according to the number and type of ropes made. The supply of raw material from the first source has almost vanished with the thinning of the forest. They get creepers only occasionally to make one or two ropes. Now, only the second and the third options are exercised for making ropes.

One kilogram of jute costs Rs 10 and five ropes can be made out of it. Each rope-maker processes 2 kg of jute. The rope is sold in the market at Rs 4 per piece. It means that each rope-maker earns only Rs 20 per day for an entire day's work. Instead, if the Bahunia creepers would have been available in the forest, each rope-maker would have been able to make a profit of Rs 40. The non-availability of creepers has reduced each rope-maker's earnings by 50 per cent.

If the raw material is supplied by the customer, the rope-makers get Rs 3 per rope. Since each rope-maker can make 10 ropes a day, s/he gets a wage of Rs 30 per day. This means that paid wage for making ropes is higher than the returns from processing jute.

IV

Distribution and Growth of Birhor Population

The tribal population of Jharkhand has persistently experienced markedly slower population increase than non-tribal groups during the entire post-independence period. This is in sharp contrast to the tribal population growth (both in relative and absolute terms) in many other states (especially outside eastern India), as well as at an aggregate all-India level (Maharatna and Chikte 2003). Though the tribal population as a whole has been experiencing a slower rate of growth, the population of a number of smaller tribal groups is reported to be stagnating or declining. In this context, the study of the population dynamics of Birhor would be an interesting case study to verify such arguments and throw light on some of the influencing factors.

The Birhor is a small tribal group distributed over Jharkhand, Raigarh district of Madhya Pradesh, and Kalahandi, Keonjhar, Mayurbhanj and Sambalpur district

of Orissa. However, the majority is concentrated in Jharkhand and their distribution here suggests a distinctive unevenness over time and space. Analysis of the population data from 1961 to 1991 reveals that at the aggregate level (Jharkhand) the population has been increasing. But the disaggregated data for the districts reveals two contrasting scenarios. Some of the districts have experienced an increase in their population while others have registered a decline. This section explores the factors behind the differential nature of population change.

According to the 1991 Census, the Birhor has a population of 8,038 in Jharkhand, of which the largest number is in Hazaribagh (3,999), followed by Santhal Parganas (2,269), Singhbhum (896), Ranchi (697) and Dhanbad (177). The striking feature of the population distribution is the unprecedented enumeration of a comparatively large number of Birhors in Santhal Parganas in 1991, while the previous census recorded only a population of 31 (see Table 9.5). It requires further research to establish the factors behind the sudden presence of such a large number of Birhors in this district, though one may speculate that the earlier census might have failed to record their population correctly owing to their migratory nature and inaccessible habitats.

TABLE 9.5: Population of Birhors

District	1961	1971	1981	1991
Santhal Parganas	–	–	31	2269
Hazaribagh	1283	1872	2645	3999
Ranchi	947	876	958	697
Palamau	1	87	122	–
Dhanbad	–	108	189	177
Singhbhum	257	319	392	896
Jharkhand	2488	3262	4339	8038

Source: Census of India, Bihar, Special Tables for Scheduled Tribes for the respective years.

Population Growth Rate: The Birhors in Jharkhand recorded a significant annual exponential growth rate (AAGR) of +2.98, +2.49 and +2.92 during 1961–71, 1971–81 and 1981–91 respectively. However, if we take into consideration the districts of Hazaribagh, Ranchi and Singhbhum, where Birhors are concentrated, we find that Hazaribagh maintained a significant positive growth rate all through the three decades, while Ranchi saw a decline in population (see Table 9.6). We may recall from the section on forests that the area under forest is very large and the percentage of forests as well as per capita availability is very high in Hazaribagh, and since forests are the Birhors' homes as well as their means of survival, they have been quite safe in their natural habitat. On the other hand, a disturbing phenomenon is observed in Ranchi. The district experienced a negative AAGR of –0.77 over the decade 1961–71 followed by a low positive growth rate of +0.89 during 1971–81. The decade of 1981–91 witnessed an alarming negative growth rate of –3.18. The

declining population in Ranchi suggests that some of the Birhors might have out-migrated from this district. Loss of the primary means of livelihood owing to the depletion of forests and non-availability of any alternative sources of livelihood might have forced them to migrate to other districts. The argument in favour of migration of Birhors from one district to the other gets stronger when we take into consideration the case of Dhanbad and Palamau districts.

TABLE 9.6: Annual Exponential Growth Rate of Birhor Population

	1961–71	1971–81	1981–91
Palamau@	–	+3.38	–
Hazaribagh	+4.18	+3.46	+4.13
Ranchi	–0.78	+0.89	–3.18
Dhanbad@@	–	+5.60	–0.66
Singhbhum	+2.16	+2.06	+8.27
Jharkhand	+2.91	+2.85	+2.92*
			(+6.17)**

Notes: * This growth rate does not take into account the population of Birhors in Santhal Parganas in 1991.
** Growth rate considering the population in Santhal Parganas in 1991.
@ Only one Birhor was enumerated in 1961. Their population is nil in 1991, see Table 9.5.
@@ Birhor population in 1961 is nil, see Table 9.5.

Source: Computed by the author based on Tables from Census of India, Bihar, Special Tables for Scheduled Tribes for the years 1961, 1971, 1981 and 1991.

The fact that the Birhors have a presence in Dhanbad and Palamau districts from the 1971 Census clearly indicates the population to be in-migrants. In contrast, their population in Ranchi declined from 947 to 876 during 1961–71, suggesting that some of them might have migrated from this district to Dhanbad and Palamau. The migration might have been due to the erosion of livelihood opportunities. The data on workforce reveals that the entire workforce in Dhanbad and Palamau in 1971 was engaged in rope-making. The argument for the migration of Birhor from Ranchi to these districts becomes stronger when we analyse the change in the workforce structure in Ranchi during 1961–71. During this decade, a major shift in workforce took place. The proportion of workers engaged in rope-making declined from 58 to 31 per cent while that of agricultural labourers increased from 13 to 41 per cent. It is possible that some of the workers who were engaged as rope-makers in Ranchi migrated to Dhanbad and Palamau to continue with their occupation. The fact that the entire workforce is engaged in rope-making in these two districts lends credence to this argument.

It is encouraging to note that all the districts registered a positive growth rate during 1971–81. However, it was much below the expected rate of natural growth

in Ranchi, suggesting that the outmigration that began in the previous decade has been continuing and only the intensity of migration has slowed down. The growth in Hazaribagh has been significantly higher indicating that the district has been receiving in-migrants. It seems quite possible that a number of Birhors are migrating from Ranchi to neighbouring Hazaribagh.

It is interesting to study the growth pattern in the succeeding decade of 1981–91. Hazaribagh and Singhbhum witnessed significantly higher growth rates while Ranchi and Dhanbad recorded a decline in population. Alarmingly, not even a single Birhor was enumerated in Palamau in 1991. At this stage, we will investigate the explanatory factors responsible for the spatial variation in growth rate. In order to look for explanatory factors, we will once again refer to the changing nature of workforce, being completely influenced by the changing resource base. While discussing the changing pattern of workforce, it was revealed that the Birhors migrated to Dhanbad and Palamau during the 1960s to pursue the activity of rope-making. However, the 1981 Census reported a major transformation of their economic activities. Agricultural labour became an added activity along with the rope-making in Dhanbad while agricultural labour and forest-gathering replaced the entire rope-making workforce in Palamau. It is understandable that activities like agriculture labour are not favoured among Birhors, and hence such people might have migrated from Palamau but the migration of even the forest-gatherers is a matter of concern and requires further research. The decline in the population of Dhanbad suggests that the people engaged in rope-making might have stayed back here while the agricultural labourers have moved out to Hazaribagh and Singhbhum to take up their traditional activities. The higher population growth of Birhors as well as a large share of food-gatherers among them in these two districts suggests this kind of phenomenon. Moreover, it was disclosed during the field survey that a number of Birhor households have migrated from Ranchi to Hazaribagh.

We may conclude from this spatio-temporal analysis of population data that a number of Birhors migrated from Ranchi to Palamau and Dhanbad over the period 1961–71. The migration took a different route during 1971–81 as a number of them migrated from Ranchi to Hazaribagh. During 1981–91, the source of migration was Ranchi along with Palamau and Dhanbad while Hazaribagh and Singhbhum were the destination. Taking Ranchi and Hazaribagh into consideration for the change in their population, it may be safely argued that the population in the former has been declining due to depletion of forest while population has been increasing in Hazaribagh due to presence of forest cover. In terms of migration, Ranchi is the source, and Hazaribagh is the destination.

V

CONCLUSIONS

The degradation of the forest cover has uprooted the Birhors from their traditional sources of livelihood and brought in instability in their economic activities. They have been continuously moving in and out of their traditional economic activities.

Though the alternative economic activity for them has been agriculture, ignorance of agricultural practices and low quality of land has been the major hindrances in their adopting these activities. The field data suggests that they have not been able to adopt agriculture and have gone back to rope-making. Insecure livelihoods have compelled them to move out of the district with diminishing traditional economic activity to district/s where there is scope for such occupations. This article dispels the commonly held view that their population has been diminishing; rather what is happening is that their population is getting redistributed as a result of the dismantling of their traditional modes of economy.

Notes

1. Jharkhand was a part of Bihar during the 1991 Census. This study takes into consideration those districts of erstwhile Bihar which fall under present day Jharkhand.

2. Rope-making comes under household industry. Since the Birhors pursue rope-making exclusively, the household industry reflects rope-making activity.

References

Adhikary. A. K. 1984. *Society and World View of Birhors: Nomadic Hunting and Gathering Community of Orissa*. Kolkata: Anthropological Survey of India.

Fernandes, Walter, and Geeta Menon, eds. 1987. *Tribal Women and Forest Economy*. New Delhi: Indian Social Institute.

Fernandes, Walter, Geeta Menon, and Philip Viegas. 1984. *Forests, Environment and Forest Dweller Economy in Orissa*. New Delhi: Indian Social Institute, mimeo, pp. 129–33.

Maharatna, Arup, and Rasika Chikte. 2003. 'The Tribal Demography of Jharkhand: Trends and Implications'. Paper presented at National Seminar on Population and Development in Jharkhand, IIPS.

Poffenberger, Mark, and Betsy McGean, eds. 1996. *Village Voices, Forest Choices*. New Delhi: Oxford University Press.

Poffenberger, Mark, Betsy McGean, and Arvind Khare. 1996. 'Communities Sustaining India's Forests in the Twenty-First Century'. In *Village Voices, Forest Choices*, eds Mark Poffenberger and Betsy McGean. New Delhi: Oxford University Press.

Prasad. N. 1961. 'Birhor'. In *Land and People of Tribal Bihar*. Ranchi: Bihar Tribal Research Institute.

Roy, S. C. 1925. 'Birhors: A Little-Known Jungle Tribe of Chhotanagpur'. Man in India Office.

Sahu, Chaturbhuj. 1995. *Birhor Tribe: Dimensions of Development*. New Delhi: Sarup and Sons.

Sarkar. R. M. 1990. 'Eco-Cultural Perspective of Sedentarisation of the Nomadic Birhor'. *Man in India* 70 (3). September, pp. 288–304.

Trimmel. Johannes. nd. 'Tribals in Bihar'. Margareta Weisser Foundation Newsletter, no. 3. www.indigasia.org/Newsletter3.

10

Deforestation in Andaman and Nicobar

Its Impact on Onge[*]

Pankaj Sekhsaria

There is no denying the fact that India has witnessed large-scale deforestation; only 19 per cent of India's landmass is reportedly under forest cover today. This has adversely affected both human communities that depend on the forests for survival and wildlife, due to loss of habitat. Serious and detailed research by many scholars in the recent past has thrown light on this important issue, particularly in the historical context.

Though there is evidence of deforestation even in pre-colonial India, especially due to the expansion of agriculture, it has been shown beyond doubt that the

---

* *Economic and Political Weekly* 36 (38), 22 September 2001.

The issues of forestry and deforestation in the Andaman islands discussed in this article were studied as part of a larger environmental investigation carried out in the Andaman islands by Kalpavriksh in 1998. This article is based on a paper presented in the Asia Regional Workshop on Addressing the Underlying causes of Deforestation and Forest Degradation, held in Java, Indonesia from 4–6 December 1998. It is part of a larger environmental investigation carried out in the Andaman and Nicobar Islands by Kalpavriksh in 1998. Additional support for the writing and the presentation of this article came from the United Nations Environment Programme (UNEP), the Netherlands Development Agency (NEDA) and the Netherlands Committee of the International Union for the Conservation of Natural Resources (NC IUCN). The study was funded by Bombay Natural History Society (BNHS), Society for Andaman and Nicobar Ecology, Andaman and Nicobar Islands Environmental Team. Officials of the Andaman and Nicobar forest department and Andaman and Nicobar Forest Plantation and Development Corporation. I acknowledge with thanks the help of Ashish Kothari, Sunita Rao, Neema Pathak, Yashodhara Kundaji, Sushruti Santhanam, Samir Acharya, Harry Andrews, Rom Whitaker, Manish Chandi, Indraneil Das, Mia Siscawati, Yoichi Kuroda, Simone Lovera, Miguel Lovera.

large-scale destruction of the forests was started by the British in India. An idea of the commercial onslaught on India's forests by the British has been pieced together by Gadgil and Guha (1992). Quoting from a number of sources, they show how the British navy's need for durable timber was increasingly being met from India, from teak *Tectona grandis* forests.

Vast tracts of forest were chopped to create the railway network that criss-crosses India today. The aim was twofold; the fast, cheap and efficient transport of inexpensive raw materials to the ports for export to Britain's industries and the quick movement of security forces to maintain the hold over the Empire. For instance, between 1869 and 1885, over 65,00,000 deodar *Cedrus deodara* sleepers were extracted from the Yamuna Valley forests in the Himalayas, which in turn was necessitated because the supply of teak and sal *Shorea robusta* from peninsular India was getting exhausted. Wood for railway sleepers and as fuel for powering the locomotives facilitated the expansion of both the railways and the British Empire.

Of equal, if not greater relevance was the takeover of the forests by the British by the creation of exploitative bureaucracies like the forest department. Majority of the forests of the country were converted into state-owned and controlled reserved forests (RF), and protected forests (PF) by the enactment of the Indian Forest Act of 1865 and 1927. This resulted in the alienation of the local communities from their resources and forests and the loss of responsibility for their conservation and protection (Kothari and Pathak 1998).

Many environmental historians hold the opinion that the large-scale destruction of the forests in India is rooted in the commercially oriented forest use and ownership policies of the British government which continued even after India gained independence in 1947.

The other major cause of deforestation immediately after independence was agricultural expansion, often state-sponsored. Much of the rich moist deciduous forests of the humid, Terai region in northern Uttar Pradesh for example, were cleared to provide land to immigrants from the newly-created Pakistan. Most of the woodland, once covering the Indo-Gangetic plains was also gradually converted to fields or grazing lands (Subramanium and Sasidharan 1993). Indeed between 1951 and 1980, according to the Forest Survey of India (1987), over 26.20 lakh hectares (26,200 sq km) of forest was converted for agriculture purposes all over India (Kothari 1993).

In more recent times it is the new policies and programmes of development; rapid industrialisation, urbanisation and growing consumerism that have resulted in the wide scale destruction of the forests.

In certain parts of the country, particularly the rainforest regions of the north-eastern states bordering China and Burma and the remote islands of the Andaman and Nicobar, a lot of the forests have been fed into the plywood mills. Other parts of India have witnessed a spurt of large projects; from big dams, and thermal power projects to huge mines and massive industrial complexes. Many of these have been located in what were once thick forest areas. So these forests were drowned in the back waters of dam projects, or were cleared for mines or industrial complexes.

Simultaneously, demands for food, fuel and fodder by an increasing human and cattle population have increased the pressure on the forests tremendously.

What has been equally bad, if not worse, is that the developmental projects very insensitively alienated communities living in the forests, depriving them of their basic sources of survival, forcing them to move away and in the process making them refugees on their own land. The very people who lived in and tended the forests for generations were forced to participate in the destruction of the forests and then also share the blame for it. This process continues even today in various forms in many parts of the country, resulting in the rapid decline in forest cover.

This case study will look at the situation in one of the remotest corners of India, the islands of the Andaman and Nicobar, a chain of over 350 islands located in the Bay of Bengal. The study looks particularly at the deforestation in the relatively small island of Little Andaman which is also the home of a very small and remarkable, but also threatened tribal community, the Onge.

The Andaman and Nicobar islands are considered to be the emergent peaks of a submerged mountain range related to the Arakan Yoma mountain range of mainland Burma. The main features of the islands include steep hills, and generally poor soil with little water holding capacity. Flat terrain is extremely limited and the larger islands have long meandering creeks along the coast. The islands are clothed in thick evergreen forests that are home to a large biodiversity and also have some of the finest mangroves and coral reefs found in the world.

There are more than 350 islands in the Andaman group and over 24 islands in the Nicobar. Only 10 per cent of the island area is inhabited by humans. The islands cover a total area of 8,249 sq kms and have a total coastline of 1,962 km, which equals 25 per cent of the coastline of mainland India.

Zoo-geographically the islands occupy a unique position (Saldhana 1989). The flora that has evolved here is of a distinct nature, and though related to mainland Indian flora, shows much closer similarities to those of Burmese, Malaysian and Indonesian origins. At least 32 species and subspecies of mammals, 95 bird species and 23 reptile spices are unique to the group of islands. Understandably the islands have been identified as one of the hotspots of biodiversity in India.

The islands are also home to six indigenous tribal communities; two of them—the Shompen and the Nicobari are of Mongloid origin and reside in the Nicobar group. The other four communities are of Negrito origin and live in the Andaman group. They are the Great Andamanese, the Onge, the Jarawa and the Sentinelese. These tribes are hunter-gatherer communities and have successfully survived in these islands for centuries, much before the advent of modern man here. Their knowledge and understanding of the forests is extensive and they share a close relationship with it.

Today, however, except for the Nicobarese all these communities are faced with the grim prospect of extinction as insensitive policies of the state, pressures from modern civilisation and a big timber industry continues unrelentingly in the islands.

History of Logging

The main timber operations in these islands are limited to the Andaman islands only. Though there has been deforestation in the Nicobars for the establishment of settlements, the timber industry has so far stayed away from operating there.

Like in the rest of India, the prime responsibility for starting the forestry in these islands too rests with the British. In fact, the British were the first outsiders who were able to successfully establish their settlements on the islands.

It was only in 1789 that Lieutenant Archibald Blair of the Indian (British) Navy was appointed to survey the islands with a view to finding a harbour, 'where fleets in the time of war can refit by any means ... or to which any part or the whole may retire in the event of a disastrous conflict with the enemy.' A small settlement was set up in the island of north Andaman. This, however, proved disastrous due to the prevalence of various diseases, particularly cerebral malaria and the attempt was abandoned pretty soon (Whitaker 1985).

Attempts were made again by the British in the late 1850s and they were able to create Port Blair as a penal settlement in 1858, mainly for criminals from mainland India and later for freedom fighters too. Large tracts of land were first cleared in 1858 for the penal settlement itself. By 1870 a limited exploitation of hardwoods had already begun. The forest department, with the major responsibility of timber extraction was started in 1883 (Whitaker 1985). The Chatham saw mill was set up around this time and was for a long time considered the biggest saw mill in the whole of Asia. It is operational even today.

The 1901 census report of the islands, for the first time lists forestry as a source of employment and lists about 900 individuals involved in various activities like extraction, saw mills and firewood. According to the then chief commissioner of the islands, Lt. Col. Sir Richard C. Temple, '... this is a comparatively new department for utilising convict labour and is now the chief source of revenue in cash' (Census of India 1901).

Later in 1929, the Swedish Western Match Company (WIMCO) started a match splint factory in Port Blair (Whitaker 1985). This remained the only private forest based industry here till the early 1960s, when the plywood mills were first set up.

With India gaining independence from the British in 1947, a new phase began for the islands too. A colonial hangover was evident in independent India's 'colonisation scheme' for the islands as a part of which thousands of people were brought from mainland India and settled here.

What has also been important is the strategic location of the island chain in the Bay of Bengal, close to countries in south-east Asia and just north of an important commercial shipping lane. One strategy of the Government of India to maintain its advantage and strengthen its claim over the islands has been to encourage more and more mainlanders to come and settle here. These two factors have been largely responsible for the population growth that has been witnessed in the last few decades starting in the 1950s (see Table 10.1).

TABLE 10.1: Population Figures

Year	Total Population	Andamanese	Onge
1901	24,499	625	678
1911	26,459	455	631
1921	27,080	209	346
1931	29,476	90	250
1951	30,971	23	150
1961	63,548	19	129
1971	1,15,133	19	112
1981	1,88,745	25	103
1991	2,80,661	28	101
1998	4,00,000 (estimated)		

Sources: *Census of India 1995*, C. J. Saldhana, *Andaman, Nicobar and Lakshadweep—An Environmental Impact Assessment*, New Delhi: Oxford and IBH Publishing Company, 1989; Voters list; 1998 general election.

As a matter of fact, in the early years various incentives were offered to the people to come and settle in the islands. Each settler household was given four acres of flat land for paddy, five acres of hilly land for tree crops and one acre to build a homestead. Twelve tonnes of free royalty timber was given for house construction and an additional five tonnes for house repairs every five years (Saldhana 1989).

The growth in population meant that the pressures on the forest—both direct and indirect—also increased. It is clear that the growth in the timber extraction operations corresponds directly to the growth in the population of the islands (see Table 10.2). This destruction of the forests for the extraction of timber was in addition to the clear felling that was done for the settlements themselves.

TABLE 10.2: Annual Extraction of Timber in the A and N Islands

Date	Average Annual Extraction in Cubic Metre
Pre-1950	
1869–1929	15,300
1930–1950	49,700
Post-1950	
1951–1962	88,800
1968–1983	1,18,800
1990–1995	1,12,000
1997–98	75,000

Sources: C. J. Saldhana, *Andaman, Nicobar and Lakshadweep—An Environmental Impact Assessment*, New Delhi: Oxford and IBH Publishing Company, 1989, and A and N Forest Department.

It has been estimated that between 9 and 13 per cent of the total land area of the islands has been felled in little more than a century of operations (Pande et al. 1991). There is no consensus on the actual area that still remains under forest, and some observers are of the opinion that even a large part of this forest is degraded and under secondary growth (Whitaker 1985).

With the growing population of migrants on the islands there was a need for the government to create employment opportunities for the people. The abundant forests and the timber within it became the obvious source for the generation of both income and employment.

The British had already started the operations, but their expansion had been limited. Till the 1960s the Chatham saw mill and the WIMCO match splint factory were the only major timber units in the islands. However, the growing influx of people here meant that the industry would have to expand.

In the initial years, following independence the administration offered huge incentives to industry in the form of subsidies to make it attractive for an entrepreneur to invest here. These were largely made use of by the private plywood industry that began in the late fifties and have continued till today.

Today, the timber-based industry in the Andamans comprises of two government saw mills, some small private saw mills and furniture-making units and three private plywood units. It is these private plywood mills that are today the largest consumers of timber in the islands; their intake accounting for roughly 70 per cent of the 75,000 cubic metres of timber logged here annually (personal communication of industry officials, Forest Statistics 1993–94; A and N Forest Department).

What is very significant is that 98 per cent of the plywood manufactured in the Andaman islands is not used locally (personal communication, industry officials). It is all exported to mainland India to satisfy the insatiable demands of an ever-increasing market. The government continues to offer various subsidies that include lowly priced local timber, a subsidy to the tune of 90 per cent for the transport of goods to and from mainland and a power subsidy of over 80 per cent among others (Directorate of Industries, A and N Islands, Port Blair 1991). These subsidies have allowed the timber industry to continue and even to make substantial profits. In effect, the exploitation of the forests here is being subsidised for the use and benefit of a far away population of mainland India that has no real stake in the islands or the conservation of its forests.

There are other interesting dimensions too. The profits made and the incentives offered by the administration encouraged the plywood mills to go in for substantial augmentation of their production capacities. Today, however, with growing awareness, intervention by the courts and change in policies, logging in the islands appears to be reducing.[1] Official figures of timber logged shows a downward trend in the last few years (see Table 10.2). Consequently, the amount of timber offered to the plywood mills too has been reduced, leaving the mills complaining about lack of enough timber and idle capacities.

Significantly, to make up for this shortage in the availability of timber the private industry has begun to import timber from Malaysia under the Open General

Licence (OGL) scheme of the Government of India. For the financial year 1997–98, 25 per cent of the private industry intake was met by such imports (personal communication, industry officials)—an ironic and interesting 'robbing Peter to pay Pan' situation.

The people who have suffered the most in these islands are the indigenous communities for whom the forests are home. This has resulted from the combined impact of the destruction of the forests and the imposition of an alien and insensitive culture that brought along with it various diseases and other vices such as alcohol and tobacco.

Except the Nicobarese, all the other tribes have suffered in varying degrees. The Great Andamanese were the first community to be contacted by the British, and this was followed by the Onge who live on the island of Little Andaman. Both these communities suffered immensely from the ill-effects of the colonial contact and the interaction that followed.

The other two Negrito communities, the Jarawa and the Sentinelese have scrupulously avoided contact with the outside world and even used violent means to do so. This, however, appears to be changing in the case of the Jarawa now. For the first time in their history they are beginning to voluntarily come out of their forest home to interact and mingle with settlers living in the areas bordering their territory (Sekhsaria 1998). A centuries-old isolation has been broken and the future of the Jarawa can, today, only be a matter of speculation.

Ironically (and it is certainly a powerful comment on the state of our civilisation), it is the result of this isolation and aggression against us, that these communities have managed to retain their freedom and original identity (Whitaker 1985; Paul 1992; Sekhsaria 1998). It is here that the Jarawa and the Sentinelese have succeeded where the Onge and the Great Andamanese lost out.

Epidemics like pneumonia in 1868, measles in 1877, influenza in 1896 and syphillis killed the Great Andamanese by the hundreds. The tribals had no resistance to these diseases which they contracted from the outsiders. The Great Andamanese are today finished as an independent race of people. Their population that was estimated to be around 5,000 individuals in the early part of the nineteenth century today comprises of merely 28 individuals (Whitaker 1985; Saldhana 1989).

The Onge who live on the island of Little Andaman have fared only marginally better. From 600 individuals in 1901, the population has fallen to 101 individuals today (see Table 10.1). Whereas the Great Andamanese declined because of the various epidemics, the Onge are suffering on account of the destruction of their forests and the imposition of a way of life that is alien and insensitive to them.

The destruction on Little Andaman goes on even today, pushing the Onge further and further towards oblivion. The case of the Onge and the happenings on their island is a classic case of how modern notions of development are causing widespread destruction of the forests and of a community which is dependant on them for survival. It is also representative of the general situation in the other islands in the Andamans and has many lessons for the future.

Little Andaman

This is the southern-most island of the Andaman group of islands with an area of 730 sq km. The island is for most part flat. Only the central and southern portions of the island have undulating hills with the highest point rising to 156 m above sea level. The island is the only home of the Onge tribe of Negrito origin which has lived here for centuries. Today, as seen earlier the community comprises of a small group of only 101 individuals (Saldhana 1989; A and N Administration 1995).

At one point of time in history the Onge too were hostile to outsiders like the Jarawa and Sentinelese today. The most well-known record of their hostility is of 1867, when they killed many of the crew and burned down the British ship *Assam Valley* that had come to the island (Whitaker 1985). Though the history of the settlements and the timber extraction operation in the Andaman islands in general is more than a century old, Little Andaman remained completely untouched till very recently.

The 1960s saw the massive colonisation programme planned for the Andaman and Nicobar (A and N) Islands. Till this time, the island of Little Andaman had belonged only to the Onge who were also known to travel in their dugout canoes to nearby islands and occasionally to Port Blair too (Whitaker 1985). A massive development and colonisation programme was now undertaken as a part of which thousands of mainland Indians, refugee families from erstwhile East Pakistan (now Bangladesh) and Tamils from Sri Lanka were settled here.

An 'Inter Departmental Team on Accelerated Development Programme for Andaman and Nicobar', set up by the ministry of rehabilitation, Government of India, submitted its report in 1965. The plans and more importantly the thinking and the attitudes of the time were clearly evident in the report which is popularly referred to as 'the Green Book' (ministry of rehabilitation, GoI, 1965). It prescribed the route to take for the development of the A and N islands in general, and Little Andaman in particular. Various schemes were proposed for the development of the islands under broad categories of strategy, agriculture, animal husbandry, forest, industry, fishery, water, transport, health, colonisation and manpower.

The island of Little Andaman was specially earmarked for a Rehabilitation and Resettlement (R and R) programme, considering many favourable factors like a large (by the standards of the Andamans) island, few inhabitants (only the Onge) and the presence of good natural and forest resources, particularly timber.

The committee suggested drastic steps for the development of the island. The suggestions made for Little Andaman included clear felling of half of the island's forests, settlement of 12,000 settler families on the cleared land, creation of plantations of coconut, areca, and palm oil, and use of the felled timber for wood-based industries like saw mills and plywood factories.

Even when the scheme for the colonisation of Little Andaman was being planned, the entire island had already been legally notified as a tribal reserve for the Onge. This had been done in 1957 itself, long before the plans for the development of the island were thought out (Protection of Aboriginal Tribes Regulation 1956, A and N Administration).

It is now clear that the presence of the tribal reserve was completely ignored and all the proposals made and activities initiated were in violation of the rights of the Onge. The forest too had no value except for the timber that could be extracted from it. Otherwise they were considered useless wastelands that needed to be cleared, reclaimed, and aggressively developed.

The report emphasised that it was tentative and provisional, but the proposals that were made are clearly indicative of the scale of destruction suggested and planned. They also set the ball rolling and became the basis on which the destruction started; the twin processes of the settlement of thousands of outsiders and the starting of a huge timber extraction operation to support these settlers.

Over the last 35 years, roughly 30 per cent of the island of Little Andaman has been taken over by outsiders for settlements, agriculture, timber extraction operations and plantations (Protection of Aboriginal Tribes Regulation [PATR], 1957; Whitaker 1985; Saldhana 1989).

The first saw mill on the island was set up in 1970, and simultaneously large areas were cleared for the establishment of the settlements. As proposed in the development plan some area was also cleared for the establishment of a red oil palm plantation. About a decade ago the decision was taken that the plantation would not be expanded and fortunately that moratorium has stood (ANFPDC 1997; Bhatee 1985–86). Simultaneously, the Andaman and Nicobar Forest and Plantation and Development Corporation (ANFPDC) was created and it was given the twin responsibilities of managing the red oil palm plantation and carrying out the timber extraction operations (ANFPDC 1976).

Later on in the 1970s certain legal changes were made to the boundaries of the Onge Reserve to allow for the activities that were suggested for the island (PATR 1957). However, 70 per cent of the island was still retained as a tribal reserve for the Onge and even today this is the status. On paper, at least this was and continues to be exclusive Onge land on which no settlement, logging activity or trespassing is allowed. Unfortunately however, this status and the protection accorded have remained only on paper.

The population on the island has continued to increase; from virtually no outsider in the 1960s to over 12,000 individuals today (A and N Administration 1995). As more and more people move into the island from outside, good forest land within the Onge reserve continues to be encroached upon. Trespassing into the reserve area for poaching of animals like the Andaman wild pig by these settlers is also extremely common. This prized animal is endemic to the region and is very important in the diet and culture of the Onge (Pandya 1993). Today, however, habitat loss and poaching have resulted in a sharp decline in their numbers (Tambe and Acharya 1997).

The area of about 20,000 hectares of the island that was handed over to the Forest Corporation has been extensively logged over in the last three decades. Recently, there have been reports alleging that the Forest Corporation itself has been violating the tribal reserve by directly logging timber from within the boundaries of the reserve. We thus have an extremely unfortunate case here where the main violator of the law is an arm of the administration itself.

Deforestation and developmental policies have had an adverse impact on the ecology of the island and the surrounding oceans. Reduction in the number of the Andaman wild pig (Sus scrofa andamanensis) and the slow moving sea mammal Dugong dugon has occurred both due to poaching and habitat destruction (SANE nd; Pande et al. 1991).

Large quantities of sand has been mined from the beaches for construction activities. Consequently, beaches have been destroyed, erosion by the sea has increased and in some places the beaches have simply vanished. Endangered sea turtles like the Olive Ridley (*Lepidochelys olivacea*) and the Green sea turtle (*Chelonia mydas*) which nest on the beaches here, are now reported in much smaller numbers (personal communication: settlers in the island) and coral reefs in the waters surrounding the island are being choked by the excessive runoff from areas that have been deforested (Soundarajan et al. 1989).

The Fate of the Onge

The clearance of land for settlements and the loss of forests to logging have had a direct impact on the Onge. They have been driven away from what was their prime and preferred habitat and have been forced to move deeper into the forest (Paul 1992). With excessive poaching of their food sources like the wild pig, survival is becoming excessively difficult for them.

Logging operations have also played the role of opening up the island further. Roads that are bulldozed in the forest to carry out logging operations give the settlers greater and easier access to areas that were otherwise inaccessible. Not only has it facilitated greater poaching, but also made it much easier for the settlers to move further and further into the forest to establish settlements. Simultaneously the Onge have had to face the onslaught of an alien, modern culture that is highly insensitive and unable to appreciate or even acknowledge their traditional way of life (Awaradi 1990).

The Andaman Adim Janjati Vikas Samiti (AAJVS), the Andaman Tribal Welfare Board of the A and N administration has a welfare scheme for the Onge, but this seems directed more towards making them dependant on the dole offered, than to encourage them to lead their traditional and independent lives. This dole has suddenly introduced items of food like rice and sugar which were never a part of the Onge diet. The dole for the Onge at one time also included 250 gms of tobacco for each adult as a welfare measure (ibid.). The long-term health impacts of such drastic changes can never be predicted, but the consequences can well be imagined. Attempts are also being made through the various welfare measures, to induce the Onge to give up their nomadic way of life in favour of one that is much more settled. The main aim appears to be to settle the Onge so that they no longer need the entire island to roam and use for survival. Consequently, a much larger chunk of the forests, which cannot be exploited at the moment, will become available.

Simultaneously the settlers also introduced to these people other vices like alcohol which many Onge are now addicted to. This has made them much more

susceptible to exploitation, and the settlers have made the best possible use of the situation. In exchange for the ubiquitous bottle, popularly known here as 180 (after the standard size of a bottle of alcohol of 180 ml), the Onge give away to the settlers precious resources like honey, resin, ambergris and turtle eggs.

Many experts are of the opinion that unless drastic steps are taken, which include the terminating of the forestry operations in the island and stopping the cultural assault, the Onge will not survive for too long as a viable, independent group of people. The Onge can be saved only if the destruction of their forest and the colonisation of their lands are stopped.

In the short-sighted rush to exploit the forests of the Onge, certain other critical aspects of Onge culture have been completely ignored. This includes the vast storehouse of their traditional knowledge of the plants and animals. The Onge have knowledge that could prove to be a boon to the whole of mankind; it could be a new food plant or a cure for a disease that modern medicine has failed to fight. There is proof of this already, though only very minimal ethno-botanical research has yet been carried out here.

The Onge, e.g., use a particular plant *Orphea katshalica*, ('tonjoghe' in Onge language) in the process of extracting of honey from the hives of the dangerous rock bees, 'Apis dorsata'. The leaves of the plant are chewed and the juice is smeared all over the body before they climb the tree (Dutta et al. 1983; Basu 1990). There is some ingredient in the juice that immobilises the bees and makes them harmless. The Onge keep chewing the leaf as they climb up the tree and on reaching the hive, spit some of the juice on the bees. The method is so effective that the bees are made to move away and only that part of the comb is cut away that has the honey—an entire process that is harmless to humans; to the bees and as safe and efficient as anything can be. Even more recent was the 'discovery' by the Indian Council of Medical Research (ICMR), of a plant used by the Onge, which could possibly have the cure for the dreaded, and often fatal disease of cerebral malaria. This discovery, unfortunately also got involved in an ugly patent-related controversy, obscuring in the process its importance and great potential value (Kothari 1996; Mc Girk 1998). Far from respecting and learning from this knowledge, policies are being implemented which will eventually destroy all before it can even be documented. The Onge as the original inhabitants, have the first right over this land but not many are willing to concede this. The political will too is absent. If anything, the weight of political support is on the side of the settlers, as is evident in the statement made in 1990 by one of the most prominent and influential politicians from the islands, '... Job seekers (settlers) who have come (to) the island are now serious contenders for the allotment of house sites and agricultural land. Since the political system goes with the number, no political party is in a position to contradict their demands' (Paul 1992). The Onge with a population of 101 individuals, certainly have no chance of being heard.

It is clear that the Onge are completely dependant of the forests for survival, and only if this fact is given the importance it deserves, can the forests and the Onge be saved. As things stand today, the future for both seems bleak.

Notes

1. Interim order of the Supreme Court of India on the Protection of Forests (in the case *TNG Thirumalpakad vs Union of India and Others*, Writ Petition (Civil) No. 202 of 1995).

References

Andaman and Nicobar Administration. 1957. 'Protection of Aboriginal Tribes Regulation', 1956, Andaman and Nicobar Islands.

_____. 1995. 'Islandwise Statistical Outline', A and N Administration.

ANFPDC. 1976. 'Project Report for "Logging, Marketing, Forest Plantation and Natural Regeneration in Little Andaman and North Andaman Islands"'. Port Blair: ANFPDC Ltd.

Awaradi, S. A. 1990. 'Master Plan (1990–2000) for the Welfare of Primitive Tribes'. Tribal Welfare Department, A and N Administration.

Basu, B. K. 1990. *The Onge*—The Anthropological Survey of India (ASI). A and N Island Tribe series. Calcutta: Seagull Books.

Bhatee, S. S. 1985–86. *Cultivation of Red Oil Palm in the Andamans*. Port Blair: ANFPDC Ltd.

Directorate of Industries, Andaman and Nicobar Islands. 1991. 'Facilities and Incentives for the Development of Small-Scale Industries in A and N Islands'.

Dutta, T. R., R. Ahmed, and S. R. Abbas. 1983. 'The Discovery of a Plant in the Andaman Islands that Tranquilises *Apis Dorsata*'. Bee World 64 (4): 158–63.

Gadgil, M., and R. Guha. 1992. *This Fissured Land*. New Delhi: Oxford University Press.

Kalam, M. A. 1990. 'Development or Ethnocide?: With Particular Reference to the Andaman Archipelago'. Paper Presented in the National Seminar on Andaman and Nicobar Islands. Organised by the Society for Indian Ocean Studies.

Kothari, A. 1993. 'Conservation of Biological Diversity in India'. New Delhi: Indian Institute of Public Administration (draft report).

_____. 1996. 'Protect Onge Tribal Knowledge and Rights'. A note on the patenting issue regarding the plant Onge use which might have a cure for cerebral malaria.

Kothari, A., and N. Pathak. 1998. 'Sharing Benefits of Wildlife Conservation with Local Communities'. *Economic and Political Weekly*. 3 October.

McGirk, T. 1998. 'Gene Piracy'. *Time Magazine*. 9 November.

Pande, P., A. Kothari, S. Singh. 1991. 'Directory of National Parks and Sanctuaries in the Andaman and Nicobar Islands'. New Delhi: Indian Institute of Public Administration.

Pandya, V. 1993. *Above the Forest: A Study of Andamanese Ethnoanemology, Cosmology and the Power of Ritual*. New Delhi: Oxford University Press.

Paul, M. 1992. 'Report on the Current Status of the Negrito Tribes of the Andamans'. Port Blair: Janvikas, Pune and Andaman and Nicobar Islands Environmental Team (ANET).

Report of Ministry of Rehabilitation, GoI. 1965. 'The Inter-Departmental Team on Accelerated Development Programme for A and N Islands'. Ministry of Rehabilitation, Government of India.

Saldhana, C. J. 1989. *Andaman, Nicobar and Lakshadweep—An Environmental Impact Assessment*. New Delhi: Oxford and IBH Publishing Company.

SANE. nd. Undated 2: 'Dugong'. SANE awareness series.

Sekhsaria, P. 1998. 'Jarawa Excursions'. Chennai: *Frontline Magazine*.

Society for Andaman and Nicobar Ecology. nd. Undated 1: *Development Colonises the Onge.* Third World Network (TWN) Features and SANE.

Soundarajan, R., R. Whitaker, S. Acharya. 1989. 'An Investigation into the Effects of Siltation, Logging, Blasting and other Human Derived Damage to Corals in the Andaman and Nicobar Islands'. Indian National Trust for Art and Cultural Heritage (INTACH)—A and N Chapter.

Subramaniam, K. N., and K. R. Sasidharan. 1993. 'Conservation of Biodiversity: Forest Trees'. Paper contributed to Conservation of Biological Diversity in India. Vol II. New Delhi: Indian Institute of Public Administration.

Tambe, S., and S. Acharya. 1997. 'Onge Wild Pig and Poachers'. A note submitted to the Lieutenant Governor (LG) of the A and N islands for the 'Resource Augmentation of the Onges by the Captive Breeding of the Andaman Wild Pig'. Society for Andaman and Nicobar Ecology (SANE).

Whitaker, R. 1985. 'Endangered Andamans', World Wildlife Fund—India and MAB India, Department of Environment, Government of India.

11

Women and Forests*

DN

The role of women in forest economy and in saving forests has been a subject of much recent discussion. One of the most provocative analyses of this question is found in Vandana Shiva's *Staying Alive* (1988) (Reviewed in *EPW*, 18 February 1989). Here, in this article, we will look at some of the questions raised, in the light of the situation prevailing among the adivasis of Jharkhand.

In analysing the role of women in the forest economy of gathering, it should be rioted that women perform a major part of the labour of gathering. Calculating from the study of Fernandes and Menon (1987: 84), a study of tribes in Ganjam and Kalahandi district of Orissa (where the conditions are quite similar to that prevailing in Jharkhand as such) women do some 60 per cent of the total family labour gathering and some 70 per cent of that part of it is devoted to firewood collection. Thus women do play a major role in gathering of forest products. But major cannot be equated with sole role, particularly when the labour by men is not so insignificant at 40 per cent of total and 30 per cent of labour in firewood collection. Further, the labour is also often performed in a joint manner, where, for instance, men shake the trees while women collect the fruits that fall. The division of labour in gathering is not as strict as it is in, say, plough agriculture.

Some of the forests of Jharkhand are owned by the village community. These are the *khumkatti* forests. But even the forests owned by the village community, are not, however, worked in a collective manner. The actual labour of gathering is organised by each household. Products of trees on private land belong to the family concerned. Community-owned forests too are allotted to the various families for the purposes of gathering.

Within the family the manner in which income from gathering accrues and the controls over spending are different from the case of agriculture. The produce of agriculture accrues to the family as a whole. Control over this produce is partly joint in the hands of both men and women, and mainly single, in the hands of the male head of the household. Even if women may have some say in spending agricultural income, it is never taken as their (i.e., women's) income.

---

* *Economic and Political Weekly* 25 (15), 14 April 1990.

As opposed to this, in the case of gathering, income is supposed to be that of the person who does the labour. There is no distinction between the labour of the producer and the labour of the marketeer. The same person usually does both. If anything, there may be instances of men doing the labour, while women doing the marketing. It is only among tribes like the Grain and the Kherwar, which have proceeded somewhat further in the direction of patriarchal caste society, that women, while taking part in production, do not take part in marketing. The income from marketing otherwise accrues to the individuals doing the labour. Women thus have greater rights over the income from their labour in gathering than they have over the income from their labour in agriculture. What is the significance of women's greater participation in the labour of gathering and of their greater control over the income from such gathering?

Coming to Vandana Shiva's analysis, to begin with, there is her characterisation of 'traditional' economies. 'Traditional economies are not advanced in the matter of non-vital needs satisfaction, but as far as the satisfaction of basic and vital needs is concerned, they are often what Marshall Sahlins has called "the original affluent society". The needs of the Amazonian tribes are more than satisfied by the rich rain forest; their poverty begins with its destruction. The story is the same for the Gonds of Bastar in India or the Penans of Sarawak in Malaysia' (Shiva 1988: 12).

Recent studies have shown that these societies may have difficulties in obtaining carbohydrates (Myers 1988: 264). Their leisure is then, at least in part, enforced by the lack of energy. What about medical care? Can we say that they are 'affluent' in this respect? And is education, including literacy, not to be included as a 'basic and vital need'? Are 'basic and vital needs' only those which are merely physical and biological? The understanding of what are 'basic' and 'vital' needs changes very much with history. But leaving that aside, these 'traditional societies' are quite deficient in both energy and medical protection.

The next point in Vandana Shiva's analysis is that 'forests have always been central to Indian civilisation' (p. 54). Or, again, 'All religions and cultures of the South Asia region have been through ecological insight' (p. 57). Evidence of the centrality of forests is seen in that 'Sacred forests and sacred groves were created and maintained throughout India as a cultural response for their protection' (Shiva 1988: 57).

When we talk of India in terms of its civilisation we must clearly distinguish between two kinds of regions. One is the hill-forest regions such as Uttarakhand in the north, or Jharkhand in the centre, or the north-east as a whole. The other is the plains, such as the Ganga-Jamuna doab. Various streams have contributed to Indian civilisation, but that which dominates it, or its mainstream, is clearly the culture that came with settled agriculture in the Ganga-Jamuna doab. This is the scat of the caste system and the Hindu religious order. This 'mainstream', Indian civilisation has appropriated from the tribal communities, but, of course does not like to acknowledge this appropriation. This 'mainstream' Indian civilisation was set up by subjugating the forest-dwellers, and clearing the forests for settled cultivation. The whole conflict of the *deva*s and *asur*s represents this struggle of

plains 'civilisation' to subdue the forest-dwellers, the hunter-gatherers. Despite the very substantial contribution of the forest-dwellers to Indian civilisation, they have never been accepted as part of the 'mainstream' of Indian civilisation. They have been both feared and subjugated.

As Arvind Das points out, '... the problem of the relationship between the tribals and the so-called "mainstream population" is civilisational in spite of the fact that the development of Indian civilisation is a saga of the intertwining of the tribal and non-tribal strands.' And, 'At the best of times, the subjugation of the tribal has always carried the implicit threat of coercion. Thus even after Priyadarshini Ashok, the Mauryan emperor, had renounced war, his edict addressed to the *atavikas*, the forest-dwellers, forefathers of today's Jharkhandis, grimly reminded them, "Forget not that the Beloved of the Gods, in addition to being righteous, is also powerful"' (Das 1989: 133).

The forest-dwellers were subjugated by various states. There continued to be a symbiotic relationship between the forests and the plains. The forests were particularly important for minerals, chiefly iron, without which the settled agricultural civilisation would not even have been possible. But, in this symbiosis our articulation, there was also dominance, a dominance by the states in the plains of the pre-state societies in the forests. While taking heavily from the forest-dwellers (K. S. Singh points out that the names of a number of agricultural implements, like *langala* or *hala*, the plough or *kuddala*, the spade are of Mundari origin), the very same tribes have also been suppressed by 'mainstream' Indian civilisation. This suppression is symbolically expressed in the destruction of the very sacred groves (*sarnas*) that, say, the Jharkhandis rever. Far from these, sacred groves being 'created and maintained throughout India', the destruction of these sacred groves, or their marginalisation and replacement by temples (nowadays temples of Mahavir *Hanuman*) is the expression of the 'mainstream' Indian civilisation's subjugation of the tribals. Of course, this subjugation was periodically contested by the tribes, and that is why the forest has been portrayed as peopled by fearful and malevolent spirits. Does not the Ramayana represent exactly this suppression of the forest order by the newly-formed kingdom?

The suppression of the tribal system and the break between the tribal and caste systems of Indian society, is particularly marked in the case of the position of women. The propertylessness of women, initiated in settled agriculture within the tribal situation, is carried to its extreme with the formation, of patriarchal caste society. The absence of any seclusion of women in the tribal situation, the free mixing of adolescents and others of both sexes, the choice of women and men with regard to their marriage partners, the ease of divorce, the practice of widow remarriage—all of these practices of tribal society come under severe attack in the period of formation of caste society. In fact, these practices are looked down upon in patriarchal Hindu society as the signs of 'backwardness'. This was true in the period of the formation of the characteristic Indian caste society, and it is true even today. Even the practice of community dancing among the tribals is looked down upon as a sign of 'backwardness'.

Ignoring this crucial break in the development of 'mainstream' Indian civilisation amounts to ignoring the fact that the 'mainstream' has both feared and subjugated the tribals of the forests. Far from being central to Indian civilisation, 'mainstream' Indian civilisation has been founded on the violent suppression of the forest-dwellers and on the negation of their social system, particularly in the relation of the sexes.

Having decided that the forests have always been central to Indian civilisation, Vandana Shiva proceeds to demonstrate that women play the key central role in the forest economy. Identifying men with hunting and women with gathering, she says, 'Lee and de Vore have shown empirically how even among existing hunters and gatherers, women provide up to 80 per cent of the daily food, whereas men contribute only a small portion by hunting' (Shiva 1988: 50).

It will be useful to reproduce a detailed calculation made by Richard Lee (for the King of Namibia), before going on to consider the situation in Jharkhand. 'On the first count (i.e., by weight or calorific content) it is clear that gathered foods provide about twice the food value of hunted foods. In July 1974 study of work, vegetable products yielded 69 per cent by weight and 71 per cent of the calories of the Dobe camp. At other seasons of the year, such as the late-summer and fall camps in mongongo nut groves or Itsin bean fields, the proportion of vegetable foods may go even higher, as high as 80 per cent. Is there ever a time when hunting predominates over gathering? In late-spring and early-summer hunting camps, the proportion of meat may sharply rise. In one study, the four hunters, of a small camp of 12, killed 29 animals in 17 days for *a per capita* consumption of almost two kilos of meat per day. These bursts of meat-eating tend to be of short duration, however, and overall I estimate that meat comprises between 30 and 40 per cent and vegetables between 60 and 70 per cent' (Lee 1982: 40).

After showing that vegetable products, the result of gathering, contribute a major part of the diet of gatherer-hunters, Lee goes on to add, 'Of course, not all the plant gathering is done by women. Men gather as well, and their work provides almost a fifth of all the gathered food. Therefore, when we sum up the overall contribution of each sex, the disparity is reduced. Men produce about 44 per cent and women 56 percent of the weight and calories of the food brought into the camp.'

The mistakes made in Vandana Shiva's analysis are first to take the contribution of hunting at that time of the year when it is at its lowest, and then to identify women with gathering entirely. Men also play a role in gathering, though the major part of it is done by women. This is the case in Jharkhand too. Men also participate in gathering, to the extent of contributing up to 40 per cent of the labour in gathering. Many gathering activities are joint activities, involving the whole family. Men, for instance, shake the trees while women and children gather up the fallen nuts and fruits. Anyone who has observed the Jharkhandi adivasi families in the peak gathering seasons, will know the extent to which the whole family, women, men and children, are all together involved in gathering activities. In fact, more than in any other kinds of production, gathering involves the greatest extent of joint labour. Contrary to Vandana Shiva's analysis, gathering is not the exclusive province of women.

What about the management of forest resources, decisions on cutting, allocations of forest resources among individual families, and so on? Here too it is her contention that '... it is primarily women who use and manage the produce of forest and trees' (Shiva 1988: 60). It may be true that women use and manage the forest produce within the family. But what about the decisions about management of the forest as a whole for the village community.

In the Jharkhand areas where village-owned forests still exist, the forests are managed by the village assembly, the traditional panchayat. This panchayat takes decisions on the individual requests for timber for various purposes, on the allocation of trees for gathering to individual families, and so on. It is the village panchayat that manages the forests. In the examples of forest regeneration discussed in N. G. Basu (1987), in each instance the village, or parha (area of a group of villages) panchayat played the crucial role in decisions on regeneration and preservation. These panchayats are all-male affairs. Women have no role in decision-making in these panchayats. So, in Jharkhand, it is certainly not true that women manage the forests at the level of the village community. At the level of the village, the job of management is essentially a male job.

In reconciling the various interests in the village, there are some situations in which the interests of cutting and of gathering may come into conflict. One is where the cutting is being undertaken for some big capitalist interests by the local contractors-cum-traders. In this situation the village-level agents in such cutting would most likely be the locally important persons, like the village chief, *munda*, etc. The labourers who are engaged in cutting are also likely to be mainly male. To the extent that the wages they earn from cutting does not go to meet family expenses, but is instead spent on liquor or such goods for the men, to that extent the interests of men as cutters conflict with the longer-term interests of women as gatherers.

Another situation in which the interests of cutting and gathering come into conflict is that where due to the inability to otherwise meet normal consumption (subsistence) requirements, individual households undertake cutting of trees for sale as wood. This can lead to a mining of the forest resource, where 'the rate of cutting exceeds that of regeneration of the forest. Such cutting and sale of wood as head-toads is undertaken to a large extent by women. All around Ranchi this phenomenon of mainly women head-loaders can be observed. 'In Bundu-Tamar area because National Highway passes through these villages, the women in large numbers have entered the profession of selling wood by establishing improvised booths on the roadside' (S. P. Sinha 1987: 201).

In such a situation, where decisions on cutting are taken by individual families, whether it is by women or by men in the families, there is no way in which the various individual decisions can be reconciled such that total cutting does not exceed the ecologically sound limit. Individual decisions, whether by women or by men, cannot lead to such sound village-level decisions. Such sound decisions are only possible when the decisions on the extent of cutting are taken at the level of the village as a community. As against the present practice in Jharkhand, where women

are normally excluded from the village panchayats that manage the forests and other common resources of the village, there should be a practice of women being as fully members of the community as men and participating in all its decisions.

In the instances of forest regeneration by village (i.e., non-government) effort mentioned earlier (see Basu 1987) all these efforts were the result of community decisions, taken by either the village panchayat or the area (*parha*) panchayat, institutions that are all-male. This shows the importance of community decisions. Individual decisions, whether of the women or of the men, cannot achieve this result. Community decisions can achieve ecologically desirable results. They need to be strengthened by the inclusion of women as full members of the community, participating in all its decisions.

Correct institutions for decisions are not enough. They must also be informed with knowledge of the ecology in order to be able to arrive at correct decisions. Here too, Vandana Shiva implies that it is women (alone?) who have 'a holistic and ecological knowledge of nature's processes' (Shiva 1988: 24). In this case, it is not a straightforward contention, as in the earlier issues discussed. Here, it remains merely an implication that women possess this knowledge, while men do not.

We have already seen that male-monopolised traditional panchayats have been responsible for some of the ecological success stories. That shows that men do have some 'holistic and ecological' knowledge of nature's processes. It is the same panchayats that have been administering the khumkatti and such village-owned forests that have survived so far. We have also seen that men do substantially participate in gathering of forest produce. Further, in the tribal system of medicine, advanced knowledge of herbal medicine, acquired through a period of training with a guru, is a monopoly of men. Women *ohja*s and *vaid*s are almost non-existent. All of this shows that women certainly do not have a monopoly of 'holistic and ecological' knowledge of nature's process. To the extent the tribes do have such knowledge, it seems to be part of the knowledge of all, men and women alike. If anything, some of the specialised knowledge is the monopoly of men.

Here a limitation of this knowledge should be mentioned. It has been related to a level of production, which was basically geared to meeting directly the consumption and production requirements of the tribal economy. Given that some exchange of forest for non-forest (industrial) products is essential for the adivasis and for the town-dwellers, this existing knowledge of nature's processes will have to be deepened, so that the interaction with nature may become more complex.

Though women do play a major role in the labour of gathering of forest products they do not play a commensurate role in the management of the forests, which today is the province of either men or the village community. The village community, as already noted above, is now defined as the community of the male heads of households. To continue with the village community in this manner will not help to secure an adequate position for women in the management of the forests, a field in which their own knowledge is not less than that of the men. Consequently, the village community needs to be redefined to include all adult men and women. The

redefining of the village community in this way will certainly help to strengthen the position of women, by giving them a role in management that they presently do not have.

Even where the forests are owned by the village community, the rights of gathering and sale are allotted by the community to individual families. We have seen that within the family the income from sale of forest produce tends to be counted as the income of the individual who gathers and sells the produce. In this system, the introduction of commercial production of various forest produce, production not for direct use but for sale, has not worsened the position of women. Increasing the income from forestry will thus help strengthen the position of women within the family.

Production for sale, i.e. commercial production, has not necessarily worsened the position of Jharkhandi women. It has not worsened their position in those cases where marketing has remained in their hands. But Vandana Shiva's analysis fails to distinguish between different forms of commercial production. For instance, 'A commercial interest has the primary object of maximising exchange value on the market through the extraction of commercially valuable species—forest ecosystems are therefore reduced to the timber of such forest' (Shiva 1988: 63). The commercial interest in this case is a capitalist interest, one which has nothing to do with the conditions of life of the producers. But what about a village community which owns the forest, and looks at its needs both for direct use of various products and for indirect (i.e., commercial) use of those products, by exchanging them for other products which it requires? Such a village will moderate its maximisation of the exchange value earned through the extraction of commercially valuable species, by its requirement of forest products for direct use, and by its knowledge of the conditions of regeneration of forest products.

The problem with such an analysis is that it misses the specificity of capitalist production, and consequently ends up equating production for exchange with all the evils of the capitalist system of production to maximise surplus value. We can see from the example of some of the adivasi communities of Jharkhand, that production for sale does not necessarily worsen the position of women within the family. Merely general analysis of the evils of production for exchange, wrongly equated with capitalist production, along with a mistake of equating women with gathering, will not help us understand either the ecological question, or the women's question.

References

Basu, N. G. 1987. *Forest and Tribals*. Calcutta: Manisha.

Das, Arvind. 1989. 'Jharkhandi Roots: Tribal Identities in Indian History'. In *Self-Images, Identity and Nationalism*, ed. P. C. Chatterjee. Shimla: IIAS.

Fernandez, Walter, and Geeta Menon, ed. 1987. Tribal Women and Forest Economy: Deforestation, Exploitation, and Status Change. New Delhi: Indian Social Institute.

Lee, Richard. 1982. 'Politics, Sexual and Nonsexual in an Egalitarian Society'. In *Politics and History in Band Societies*, eds Eleanor Leacock and Richard Lee. Cambridge: Cambridge University Press.

Myers, Fred R. 1988. 'Critical Trends in the Study of Hunter-Gatherers'. In *Annual Review of Anthropology*. Palo Alto, California: Annual Reviews.

Shiva, Vandana. 1988. *Staying Alive: Women, Ecology and Survival in India*. New Delhi: Zed Books.

SECTION

IV

Conservation vs Community Rights

12

Repopulating the Landscape

Space against Place in Narmada Valley[*]

Judy Whitehead

> Abstract space (is) a product of violence and war, it is political; instituted by the state. On first inspection, it appears homogeneous; and indeed it serves those forces that wish to make a *tabula rasa* of whatever stands in their way—in short, of differences.
>
> (Lefebvre 1991: 285)

This article involves the Tadvi and Vassawa ethnic groups of Rajpipla, who are reconstructing their environmental and social history as a way of asserting the validity of local senses of place over abstract conceptions of space, the latter being rooted in Western legal, economic and scientific constructs. Such reconstructions of place can be interpreted as a type of strategic essentialism, whereby the distinct association of identity with place is projected against an outside world that defines its use and ownership of land through geometric grids of territory. An oral reconstruction of history, kinship and identity emphasises a politics of place in which the topographic writing of kinship is mapped on to the landscape (Santos-Granera 1998). In the case considered below, these reinventions occurred in response to the threat of dislocation, in which a concept of space without people has taken precedence over local interactions with, and interpretations of, the environment.

As is well known, Tadvis and Vassawas of eastern Gujarat, along with the Bhils and Bhilalas of western Madhya Pradesh, constitute some of the major ethnic groups who have been involved in a struggle against the Narmada Valley dam project for 16 years. While much attention has been focused on the latter, the creation of the Shoolpaneshwar wildlife sanctuary, which is being constructed as a conservation adjunct to the Sardar Sarovar Dam, and thus a means of preserving the region's biodiversity, has received less attention.

The Shoolpaneshwar wildlife sanctuary is one of 521 protected areas either planned or constructed in India to protect those species promoted by the World Bank's Global Environmental Facility as globally-endangered and imposed as

---

[*] *Economic and Political Weekly* 37 (14), 6 April 2002.

a conditionality of other World Bank loans. The sanctuary, covering 608 square kilometres in the Rajpipla Hills, is a second-tier protected area. It is so termed because in keeping with the 1972 Wildlife Protection Act, wildlife sanctuaries, unlike national parks, maintain the existing rights of some inhabitants to use land inside the buffer areas. But within the sanctuary's core area, which comprises 13 villages, no cultivation or habitation is allowed. This is why the indigenous populations in the region, consisting mainly of Tadvi and Vassawa Bhil populations, regard its construction as a means of curtailing their right of access to forest resources and for appropriating land previously used by them for cultivation. Hence the state's policy of erasing 'place' and 'locality' by financing massive development projects, has now been ironically extended by means of biodiversity conservation. In the abstract mapping of nature as pure (i.e., devoid of human historical construction), adopted Western 'ecological discourse' has been used to impose a concept of space in which subjective location has been functionally eradicated (Cronon 1996).

Review of Literature

A few environmental anthropologists, working from the standpoint of non-Western communities, have dismantled the separation between nature and culture embodied in Western science, including the environmental discourse that sees 'nature' as somehow outside human construction (Ingold 1996; Pallson 1996). They argue that a concept of the landscape can provide a less ethnocentric perspective on how humans and environments interact within a total socially constructed region (Hirsch 1995: 2; Williams 1973).

There has been a spate of recent anthropological work on landscape in recent years (Hirsch 1995; Basso 1996; Santos-Granero 1998; Escobar 1998; Dirlich 1998). With the exception of Durkheim and Mauss' early work on classification, the lack of concern with perceptions of landscape in the past is as striking as its present abundance in anthropology, critical geography and art history. With Hirsch and Williams, I agree that there is an implicit tension between the subjective position of place and the non-subject position of space. Place implies the local, the familiar, the here and now, and thus the insider's perspective, whereas space refers to the distant, the unfamiliar, the yet-to-come, or the outsider's viewpoint (Hirsch 1995: 4–5). These contradictions between concrete place, which is experienced, and abstract space, which is unexperienced, emerged during the Rennaisance period with the reinvention of 'perspectival maps' following the rediscovery of Ptolemy's classic work, *Geographica* (Harvey 1989: 244; Brown 1977: 64). The abstract grid of such maps created an overview of landscape that was distanced and objective, and which rationally ordered and positioned the objects within its 'field of view'. It thus produced an elevated, fixed perspective, one totally divorced from the direct and sensory, or the embodied experience of place (Harvey 1989: 254). This abstract perspective reflected the growth of a modern, scientific concept of space: for the ideas of Galileo, Newton, Descartes and others led to the visualisation of space, like time, as homogeneous, isotropic, isometric and indefinitely extended (Casey 1996: 28).

With the exception of Hirsch's work, many anthropological discussions of landscape have centred on the local, rather than the universal, focusing on community and individual experiences of place. They have shown how moral axioms or oral histories, for example, arise from particular interactions with particular environments (Basso 1996; Connerton 1989; Santos-Graneros 1998). Few studies have followed Hirsch's lead in maintaining a distinction between 'place' and 'space' to show how these different perceptions may interact in particular settings and/or be historically produced. Conflictual interactions that heighten perceptual differences between place and space can occur when a community's sense of local rights conflicts with the developmental, architectural or scientific plans of outsiders for their region. Indeed, some authors, following a phenomenological approach, have collapsed any distinctions between space and place, arguing that 'experiences of place themselves contain universal aspects' (Basso 1996: 85; Casey 1996: 43). But if, as Lefebvre (1991) argues, abstract space is socially and historically produced, then the ways social practices reproduce or change people's perceptions of place and space requires greater attention. This is not to ignore that some in today's globalised world occupy a fortunate position of living simultaneously in the two worlds of both place and space.[1] It is rather to recognise that such global interactions are constructed through differential power relations and that relations between space and place-based narratives are in a continual process of social negotiation and historical transformation.

Construction of Space Forestry Department Plans for Shoolpaneshwar Sanctuary

As various maps that accompany the Shoolpaneshwar sanctuary plans suggest, wildlife conservation policies for the region just south of the Sardar Sarovar Dam are being produced on the basis of the scientific perception that space is abstract and geometric. These maps position the sanctuary in terms of 'universal' coordinates of longitude and latitude, arranged on a grid, and differentiate towns and villages according to the type of forest around them and the amount and variety of wildlife. The series of five maps contained in the architects' plans display the region's geomorphology, its forests, the rainfall levels in the three zones of the sanctuary, and the location of the various endangered species, including barking deer, sambar, leopards, and sloth bears, and their corridors of movement.

The grid of the maps imposes a perspective, which is visually ordered, distanced and objective, like other maps associated with post-Renaissance science, and are thus remote from direct, sensory experience (Harvey 1989: 254). The eco-region is, therefore, portrayed from the 'superior viewpoint' of the outsider. Their most striking aspect is the extent to which the familiar environment of the inhabitants—their towns, ethnic names, history of migrations, etc.—is downplayed. A few of the 108 villages inside the sanctuary area are noted, and these do not enter the discussion of sanctuary plans. The spatial ordering of the landscape, fragmenting its cultural totality and reordering it through the priorities of biodata, symbolises the

potential for future land appropriation. Abstract space here becomes an instrument of primitive accumulation.

HISTORICAL DEPARTURES: FORESTRY DEPARTMENT AND SPACE-BASED WORLDVIEWS[2]

The historical origins of oppositions between place and space in eastern Gujarat can be traced to the introduction of scientific forestry to India. This discipline was originally created from about 1765 to 1800, largely in Prussia and Saxony. Eventually, it became the basis of forest management methods in France, England, the US and India (Scott 1998: 4). The Forest Department of India, influenced by its German founder, Brandeis, like its European counterparts, applied an abstract, utilitarian logic to the management of forests. Their field of vision of the forests was a radically narrowed one, confined mainly to tabulating, growing and protecting those species of wood that were commercially viable and valuable. It was also one that provided a synoptic view of an entire forest based upon an abstract, geometric concept of space. In this regulated, abstract forest of the 'forstwissenschaftler', calculation and measurement prevailed, and its three watchwords were 'minimum diversity', the 'balance sheet', and 'sustained yield'. The logic of the state-managed forest science was virtually identical with the logic of commercial exploitation.

In India, growing pressure for forest protection within the colonial administration led to Lord Dalhousie's minute of 1855 which outlined the basic principles for future forest conservation, leading to the formation of the Indian Forestry Department in 1864 and the formulation of the first All-India Forest Act in 1865. When this Act was found insufficient, the more far-reaching 1878 Forestry Act was created. The latter, which was amended in 1890, 1894, 1904 and 1927, laid claim to large areas of landscape as government-reserved forests, creating the legal categories of reserved and protected forests. Some cultivation was allowed under supervision in the protected forests, but none was permitted in the reserved forests. It appointed a forest officer with the ability to declare new areas as protected or reserved forests and to prosecute offences unilaterally. Hence, any area in which the forest officer felt that supplies of teak, ebony, acacia or other profitable forest products were being overused or slash and burn cultivation was being carried on indiscriminately, could be declared protected and all its use or trade came under the supervision of the forest officer. This had the effect of demarcating the forests as government-defined property and the forest-products as commodities liable for revenue collection.

The act prohibited the following activities in both reserved and protected forests:

> The construction of any fresh clearing, ... setting fire to a reserved forest, or kindling any fire in such manner as to endanger the same ... except at such seasons as the forest officer may from time to time notify in this behalf, trespassing of cattle, or permitting cattle trespass, causing ... damage by negligence in felling any tree or cutting or dragging any timber, felling, girdling, lopping, tapping, or burning of any

> tree, stripping-off the bark or leaves from, or otherwise damaging any tree ... quarrying any stone, burning lime or charcoal, or collecting, subjecting to any manufacturing process or removing any forest-produce, clearing any land for cultivation or any other purpose; or, killing elephants, hunting, shooting, fishing or setting traps or snares.... (OIOC V/8/49/1878)

These prohibitions reflected the narrowing of vision that scientific forestry imposed in relation to forest use and forest space. What was being prohibited was the use of all those parts of trees, even potentially commercial trees, which might have been beneficial to the local population but whose value could not be converted into commodities and thence into tax receipts. This included fruits used as food for people; underbrush used as fodder for domestic animals; branches, used to make bedding, fencing, walls and house poles, and for firewood; bark, roots, and leaves for making medicines and resins; crabs and freshwater fish from forest streams; animals that were hunted for game, mahua flowers used for making liquor, and so forth.

The forest officer of a district had the authority to prohibit offences created by the act unilaterally and it prohibited the following activities in both reserved and protected forests:

> The construction of any fresh clearing, ... setting fire to a reserved forest, or kindling any fire in such manner as to endanger the same ... except at such seasons as the Forest-Officer may from time to time notify in this behalf, trespassing of cattle, or permitting cattle trespass, causing ... damage by negligence in felling any tree or cutting or dragging any timber, felling, girdling, lopping, tapping, or burning of any tree, stripping-off the bark or leaves from, or otherwise damaging any tree ... quarrying any stone, burning lime or charcoal, or collecting, subjecting to any manufacturing process or removing any forest-produce, clearing any land for cultivation or any other purpose; or, killing elephants, hunting, shooting, fishing or setting traps or snares.... (Ibid.)

Here, again, the utility of the forest is measured in terms of its commercial value. Both forest and revenue officials expressed horror that 'teak trees', which to them were a valuable commodity, were regularly burnt as part of the cycle of regeneration associated with 'jambh' cultivation practised by hill communities. On a lesser scale, they also objected to teak being used to produce articles of subsistence, such as agricultural implements and carved houseposts.

The act also proscribed the use of most forest products, except where these had been approved, in writing, by a forest officer. Those forest products which fell under the act's purview comprised:

> "All trees" including bamboo, stumps and brushwood:
> "All Timber" including trees and bamboos when they have fallen or have been felled, and all wood, whether cut up, or fashioned or hollowed-out for cart-wheels, mortars, canoes or other purposes or not:
> "Forest-Produce" includes ...
> All minerals (including limestone and laterite), surface soil, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruits, roots, juice, catchu, bark, honey, wax, lac, ... gum, wood-oil, grass-oil, resin, varnish, silk-worms and cocoons, shells, skins, tusks, bones and horns. (Ibid.)

The implementation of the Forestry Act was part of an array of policies which had as their goal the suppression of the slash and burn agricultural practises of the hill regions and the substitution of settled, intensive agriculture or wage work for the forestry department. Hill cultivation, called jambh in Rajpipla, can be considered intermediary between settled or intensive agriculture and slash and burn agriculture. Although bullocks and ploughs were used and fertiliser was entirely cow dung, it involved the growth of rice seedlings in a nursery prepared by burning layers of cow dung, tree lopping, shrubs, leaves and grass (Buckle 1862: 13). In addition, forest cover was burnt to provide new fields in forest areas. Its presence in the centre of the Rajpipla Hills was noted in the 1880 Rewa Kantha District Gazetteer:

> Among the hills and forests where Bhils are the only husbandmen, the chief crops are "tuver", coarse rice, "kodra", "banti", and "bavta".... Almost all the hill crops are grown in chance forest clearings. On these the timber is cut and burnt. The soil, enriched with the ashes and loosened with a pick-axe, yields crops for two years and is then left for some fresh clearing. (Government of India Press 1880: 68)

The Rajpipla administrative reports for the 1890s referred also to 'jhamta' or 'dajhia' cultivation, which involved 'unrestricted cutting (of forests) and the free employment of the rude hill cultivation by burning the jungle'. Jambh cultivation by hill populations was frequently portrayed in forestry department documents as highly unproductive and destructive of potentially valuable commodities. In addition to teak, these included 'kheir', ebony, acacia, and bamboo. As cultivators who moved around a lot, swidden agricultural holdings were considered unremunerative to the government. 'They destroy Rs 50 worth of timber in order to produce "nagli" worth Rs 5 which pays in revenue only a few annas to the government.' Due to its non-nomadic settlement pattern, colonial officials preferred intensive agriculture with its more permanent subsistence base, generating both a larger and more stable revenue.

The forestry acts and scientific forestry that informed them also showed a marked preference for written, as contrasted with oral historical records, again reflecting their bias towards abstract, quantifiable space. The Forestry Act empowered the forest officer, in declaring areas protected or reserved forests, to unilaterally nullify rights of use, possession, or revenue-collection of the forested areas and forest products which had hitherto been possessed by the Bhils, other cultivators such as the Konkanis, and previous overlords. Section 9 of the Act 'extinguished any rights in respect of which no claim has been referred under section six' (OIOC V/8/49/1878). Section six appointed an officer 'to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits, or in or over any forest-produce, and to provide such persons with suitable compensation' (ibid.). Such compensation, however, would only be paid if the petitioner had appealed in writing to the settlement officer within three months after an area had been proclaimed, protected or under reserve. The petitioner had also to prove, through written agreement with a previous ruler that such customary rights were of long-standing existence.

The fact that this section of the act would adversely affect the Bhils and other hill communities was evident in the official responses to it even before it was passed. For example, a memorial to the viceroy by the Deccan Damaldars' Association stated that the name of the Act was actually a misnomer.

> An inspection of the (Act) in its details ... clearly shows that its scope is far different from what it declared in its ... title. Your memorialists think the bill was very clearly characterised by the honourable member for Madras, as one seeking to ... commute and to extinguish all customary Forest rights. (OIOC, V/8/49/1878)

Similar objections were also raised by the Konkani residents of Kolaba, who practised shifting cultivation on the narrow plains between the Western Ghats and the Arabian Sea, as well as by the Bombay Association, a group of prominent landholders of the Presidency. For example, the Bombay Association noted that the three-month limit for claiming prior forest rights was 'the most summary disposal of the private rights of individuals that has ever been propposed', whose 'hardship is intensified by the fact that most possessors of forest rights were illiterate' (ibid.). Several British officials also predicted the hardships that the act would create for the Bhils, if in a paternalistic fashion:

> ... we do not possess in (Bombay) Presidency much forest in civilised parts ... and the procedure is suitable only for civilised communities....Written proclamations ... would be unintelligible. Then again, if such rights are not claimed in writing, they shall be deemed to be extinguished. (Ibid.)

In fact, between 1878 and the early 1880s, popular criticisms of the act in western India mounted to such an extent that a Forest Commission was instituted in 1885 to investigate complaints relating to the abrogation of rights in relation to grazing, use of 'minor forest produce' and lopping of trees required for jambh nurseries (Stebbing 1926: 44–45). Although minor changes were made in the act, its essentials remained the same, even through its later revisions. The act and the creation of a forest department as overlord created a more rigid boundary between jambh cultivation versus settled agriculture, adivasi and non-adivasi areas than had existed in the pre-colonial period. In this reconceived configuration of space, place and landscape, slash and burning of forest areas became illegal, while any continued use of forest lands, for which there was no written permission or written deed, was designated as encroachment. The legal boundary between owned forest land, i.e. that sown with owners possessing written proof of heritable rights, versus fallow or potentially cultivable forest land also originates from this act. Hence the public demarcation of reserved forests coexisted with and was dependent upon the prior definition of privatised farmland as this was spatially contrasted with forest reserves and protected forests.

As will be seen in the next section, the vision of geometric space differentiated by its quantity and quality of 'natural resources' conflicted with Bhil perceptions of place and history. For them, forest products were to be used for a variety of purposes, and provided a hedge in poor agricultural seasons. Place was also connected to lineage history and to the shifting of settlements that occurred periodically due to

the necessities of opening more fertile fields in the jungle. Place was also demarcated by sacred entities, including the various local forms of the mother goddess and some Hindu deities who were thought to reside either in the Narmada river or in various mountain abodes of the Satpudas. The Shoolpaneshwar temple at the north-east corner of the sanctuary, which was claimed to be formed by an original Shiva *linga*, is one of the most sacred pilgrimage sites on the river, while Dev Mogra, dedicated to the mother goddess and inside the sanctuary, is also an important pilgrimage site for the hill communities. The embeddedness of senses of place within a sacred topography was attested by the presence of numerous land grants, called 'devasthan' and 'dharmasthan' which were awarded by the Rajah of Rajpipla to individuals who had excelled in religious or social service (Shewan 1891: 21). Yet, it is the abstract, geometric conception of space that continues to inform forestry department policies and laws, and which has been most recently incarnated in the Wildlife Protection Act of 1972, and the creation of wildlife sanctuaries and national parks as purely 'natural' realms without human habitation. It involves a conception of space that involves an erasure of place-based narratives and a wilderness which appears to be untouched by the messiness of settlements. The concept of landscape in scientific forestry from the nineteenth century and which has continued to haunt relations between hill communities and the state today has been one in which senses of place were disempowered and power now resided in space (Casey 1996: 20).

Recent Historical Conflicts

Given the radically different conceptions of place and space embedded in the interactions between the forestry department and the hill communities, and the relative power differentials between them, it is not surprising that complaints about the high-handedness and lack of sensitivity to adivasi culture have marked their dealings over the past century, nor that similar reservations against amendments to the Forestry Act and the Wildlife Protection Act of 1972 have been voiced. The recent conflicts between Tadvi and Vassawa Bhils and the state that culminated in a demonstration of 3,000 people in Rajpipla in August 2000 represent a continuation of these themes and of Bhil resistance against threats of spatial and cultural erasure (Nala 2001).

The Shoolpaneshwar sanctuary was created in 1989 in response to conservationist demands to protect the wildlife that would remain in the region following the creation of the Sardar Sarovar reservoir. India's Ministry of Environment and Forests viewed it as compensating for the forestland that the dam's reservoirs would submerge. 11,000 hectares of forest lie in the dam's submergence zone—yet the sanctuary was allocated a massive 61,000 hectares as an extension of the Shoolpaneshwar Slothbear Sanctuary. Since the beginning of its construction, local residents of the 104 villages inside the sanctuary have complained of harassment and intimidation by armed forest rangers. These complaints relate to the fact that adivasis are not allowed to hunt, enter the sanctuary with weapons, or light fires without permission. They must not hurt or frighten wildlife, poach, damage trees, mine, collect forest produce, fish,

trap animals, or clear land for cultivation. They have been increasingly restricted to cultivating only revenue lands, i.e. those for which they have written records. A particularly serious complaint relates to the fact that teak plantations have been positioned even on some revenue lands in order to create wildlife corridors for the animals that are being introduced to the sanctuary. These animals include panther: the first one was introduced in 1992, and was only removed after it had killed a village girl. Bullocks, seen by the forestry department as causing deforestation due to overgrasing, have frequently been confiscated while their owners are fined.

It was the issue of confiscated bullocks that led to the 28 August 2000 demonstration in Rajpipla. In a meeting after the rally, people demanded their rights over the resources and land. The village representatives said that they appreciated the need for forest conservation but that while the government has helped the timber lobby to clear-fell the forest, it was the tribal community which helped in protecting the forest. Addressing the meeting, Phulsingh Vasave said, 'We are living in this forest for the past many generations and because of this sanctuary now we are called encroachers.' In interviews after the meeting, elders from various villages in the sanctuary asserted that not only were they caretakers of the environment, but that Tadvi, Bhil and Vassawa ways of populating the landscape provide a superior means of protecting the environment than the scientific practices of the forestry department. 'After all', they said, 'it is only near adivasi settlements where forests have not been felled indiscriminately.'[3] They now argue that they must protect those areas where their ancestors once resided, and that their ancestors require them to treat the forest with respect, while the forest rangers live by the roadside and enter the forest only to get chickens or rivercrabs from the adivasis. How can these two forms of knowledge compare and how can the forest rangers have the intimate knowledge of the forest that those living there possess?[4] They also complain that the forest rangers do not understand the balance and relations necessary between sanctuary animals, relations that seem to be sometimes expressed in kinship terms. If they did, they would not allow leopards and panthers to increase so much that they are now threatening goats and human children. In adivasi narratives, knowledge of place takes precedence over the objectifying and depopulated science of the environment.

In addition to this open resistance, Vassawa and Tadvi Bhils in the Rajpipla Hills are reconstructing oral histories with the help of organisations such as Pariyavaran Suraksha Samiti and Narmada Bachao Andolan. In this way, the Tadvis and Vassawas Bhils who inhabit the sanctuary area have sought to fill in and repopulate the landscape by stressing the kinship-based idioms of place and history. These idioms are rooted in a subject position in which space is not geometric/abstract, but populated and meaningful. Their relations to the landscape are, above all, symbolic ones. This re-territorialisation of space has resulted in the emergence of a distinct and conscious sense of identity focused on the term adivasi, rather than tribal, and centres on their specific relations to land, forest and landscape. As the movement against the dam, embodied by the Narmada Bachao Andolan, has received setbacks recently in the Indian courts, concern for land and forest rights of the adivasis of the region has correspondingly gained some momentum in the past two years.

In the Narmada Valley, these place-based interactions with the 'environment' are marked by descent, alliance and settlement patterns, so that an oral history of movement is mapped onto the landscape. These histories intersect with aspects of alliance and residence patterns in two major ways.

Marital alliances of Tadvi, Bhil and Vassawa adivasis are contracted between villages, with the primary rule being that villages should be exogamous. The kinship terminology, in fact, seems to reflect a Dravidian matrilateral cross-cousin marriage pattern, since the mother's brother's daughter is referred to by the term *bahu*, which means marriageable woman, while the father's sister's daughter is referred to as *bhen*, or sister, i.e. as non-marriageable.

TABLE 12.1: Bhil, Tadvi and Vassawa Kinship Terminology Compared with Gujarati Kinship[5]

	English Equivalent	Tadvi, Bhil, Vassawa	Gujarati Upper Caste
Male Ego	Self		
Wife of Ego	Wife	Bibi	Vahu
Son of Ego	Son	Putra	Putra, chokra
Daughter	Daughter	Chokri	Chokri
Son's Wife	Daughter in law	Bahu	Vahu
Dau's husband	Son in law	Jamaya	Jamai
Wi's brother	Bro in law	Sala	Salubhai
Wi's sister	Si in law	Sali	Sarotri
Wi bro wife	Si in law	Bahu	Sarotri
Wi bro wife's dau	Cousin	Bahu	Sato
Wi bro wi's son	Cousin	Sala	Salubhai
Brother	Brother	Bhai	Bhai
Sister	Sister	Bhen	Bhen
Sister's hu	Bro in law	Jaith	Benevi
Si hu sister	Si in law	Numyund	Benvoi
Si hu sis hu	Bro in law	Bhai	–
Si hu sis hu sis	–	Bhen	–
Si hu dau	Cousin	Bhen	Boneki
Si hu son	Cousin	Bhai	Bhatija
Bro dau	Niece	Bhen	Bartiji
Bro son	Nephew	Bhai	Batrijo
Father	Father	Pita	Pita
Mother	Mother	Mata or Tai	Mata
Father's brother	Uncle	Kaka	Kaka

(Contd)

Table 12.1 (Contd)

	English Equivalent	Tadvi, Bhil, Vassawa	Gujarati Upper Caste
Fa bro wife	Aunt	Kaki	Kaki
Fa sister	Aunt	Phui	Fafu
Fa si hu	Uncle	Phua	Phoi
Fa bro dau	Cousin	Bhen	–
Mo si	Aunt	Mausi	Mausi
Mo bro	Aunt	Mama	Mama
Mo bro dau	Cousin	Bahu	–
Mo bro son	Cousin	Sala	–
Mo bro wife	Aunt	Maumi	Maumi
Mo father	Grandfather	Dada	Bapa
Mo mother	Grandmother	Dadi	Bapi
Fa father	Grandfather	Dada	Dada
Fa mother	Grandmother	Dadi	Dadi
Son's son	Grandson	Kaka	Bhikra
Son's dau	Granddaughte	Phui	Bhikri
Son's son's wife	–	Kaki	Bhikri
Son's dau' hus	–	Phua	Bhikra
Si son's son	–	Phoi	Bhikra
Si son's dau	–	Phua	Bhikra
Wi son dau	–	Mausi	Bhikri
Wi son son	–	Mama	Bhikra

There are two major principles that differentiate Tadvi and Vassawa kinship terminology from that of an upper-caste Gujarati pattern.[6] The latter tends to follow dominant north Indian norms, while the former approximates to a classical Dravidian pattern. The first difference is that brides are usually taken from the mother's side, and often from the mother's brother's lineage or *phaliya*. This is indicated by the term bahu, which can also be translated as wife or eligible wife. It applies to the wife, the son's wife, the wife of the wife's brother, the daughter of the wife's brother, as well as to the mother's brother's daughter. The term bhen, roughly translated as sister, and therefore, a non-marriageable female, applies to the sister, the sister's daughter, the sister's husband's sister's daughter, to the sister's husband's sister's husband's sister, as well as the father's brother's daughter.

In regard to marriage relations, any single village is exogamous and acquires brides from villages related to either the wife or the mother's side. In practise, this means that women married into a village tend to come from about 3 to 4

different villages and are often related. For example, in a village I stayed in, women came from Mokhdi, Namgir and Dev Mogra. All women from the same village considered themselves sisters. This type of marriage pattern produced a series of alliances that extend throughout the Rajpipla Hills, as brides were always coming, or at least were thought of as coming, from the mothers' phaliyas. As one Tadvi elder put it rather emphatically, 'These are the real boundaries of Tadvi society, not so much our villages.'[7] The fact that the wife's brother's wife and wife's brother's wife's daughter were also termed bahu or *vahu* provides for flexibility in an otherwise strict matrilateral cross-cousin marriage system for those elopements and free-choice marriages that sometimes occur in Tadvi, Vassawa and Bhil societies. Elopements could usually be incorporated into its kinship terms, as women who did not belong to the wife's brother's phaliya could easily be designated with the same term, vahu or bahu. In fact, there were several instances of in-marrying sons-in-laws, or *gher jamai*s, in a village I studied, and I was told that this was not uncommon in other villages, since prospective husbands could not always afford the increasing bride-wealth demanded of them. Although nominally patrilineal and patrilocal, there were instances in which both daughters and/or widows would inherit either their father's or husband's property. The major taboo that came into play was for men not to marry from within their own village or from their father's lineage. There were always possibilities for creating new alliances with other villages, and such possibilities were often strategised and discussed. For example, on one of my trips to a neighbouring village that had been prominent in the anti-sanctuary movement, a 16-year-old girlfriend asked me to spread the word there about the honour, beauty and industriousness of village X's girls.

The second way that alliance and residence patterns intersect with local histories is that rules for lineage exogamy applied not only to an existing village, but also to the previous areas of settlement.[8] Both Tadvi and Vassawa practise a modified form of swidden cultivation that combined ploughing, monsoon irrigation only, and some historical shifting of fields. Fields were moved and more forest land was taken under cultivation about once every 20 years. Periodically throughout history, every three generations or so, villages and lineages also moved in toto. These moves would invariably be close to or adjacent to villages in which one's own patrilineal phaliya already had some presence. However, the previous settlement is still reflected in the naming of phaliyas. Hence it was not only a patrilineal ancestor whose name was included in phaliya surnames, but also the former place of residence, which became a kind of sub-lineage name. This often had ironic overtones. For example, a group of two families who had moved to village X from near the SSP dam site because of a patrilineal connection and who had lost some of their land, mused whether their settlement name would be 'gas pump phaliya', since it was a gas station that had been settled on their old land. Another lineage/residential cluster in a village near village X was termed 'station phaliya' because it was close to the police station.

Hence, phaliyas are exogamous not only according to present settlements, but also to preceding settlements, and the sub-lineage name became activated during periods of marriage negotiations between families. It is not present as part of an

everyday ethnonym, nor as a fixed principle of descent. Rather, it helps to compose and recompose households according to the Dravidian kinship terminology that stresses clan endogamy and village exogamy (Trautman 1993: 82; Dumont 1993: 109). The period during which marriages were negotiated between October and January thus also became spaces during which lineage settlement histories were narrated and remembered, mapping settlement history onto the landscape through the idiom of kinship. Such idioms not only naturalised kinship relations, but also socialised the landscape, providing concrete idioms of historical place in what the forest department viewed as an otherwise abstract space consisting of plant and animal forest 'resources'.

The theme of people socialising the landscape through kinship classification is hardly a new one in anthropology (Durkheim and Mauss 1904; Rosaldo 1989; Connerton 1989). However, such culturally-mediated idioms of place have often come into conflict with more abstract notions of space that are represented by the courts and are adjudicated through the legal definitions of property in space and territory (Hirsch 1995). In such conceptions, space is geometric, objectifiable, possessed through idioms of individual ownership, and based on the notion of an abstract, scientific perspective (Harvey 1989: 256). This geometric conception of space implies a radical separation between subject and object, so that the landscape constitutes the background 'environment' upon which human sensuous activity is carried out 'in the foreground' of one's social life. Such modernist conceptions imply a radical break between nature and culture, the environment and society, space and place (Hirsch 1995; Williams 1973). They also imply the construction of a landscape that can be depopulated, a knowledge that is radically unsituated, and a history that implies a process of hierarchical accumulation of land, labour and resources.

In the past few years, the Tadvi, Vassawa and Bhil communities in this region have attempted to interpolate their kinship-determined reckonings of place into the universalistic legal framework of the court system. In post-colonial India, the contrasts between place and space are highlighted in legal precept, dominated as it is by British-derived contract and property law. In fact, the various state laws circumscribing rights to space, encoded within the various Forestry Acts from 1878 to 1972, constitute place-based kinship narratives only as spaces of 'erasure', both symbolically and practically (Lefebvre 1991; Nala 2001). Contemporary government-recognised rights of ownership are derived from the application of prior written deeds of a century ago. Since most Bhils, Tadvis and Vassawas at that time lacked such written deeds, or the means of acquiring them, common and personal property resources in lands, forests and settlements were largely erased and cultivation in the forest—especially burning of forest cover—was termed 'encroachment'. Indeed, subsequent attempts to improve this situation have been framed in terms of 'regularising' the encroachers and their rights to 'encroached' land. Often, however, they are still considered legally landless, although some states, e.g. Maharashtra, have attempted to address this question in the post-independence period. The legal landscape of India's forests was largely made to assume the emptiness of post-Renaissance landscape paintings and maps.

However, 40 forest villages in the sanctuary have been omitted from this process, with village X being one of them, occupying a kind of legal limbo but considered part of the fiefdom of the forestry department. Its villagers, nonetheless, are determined that their socially-inscribed categories of landscape be accorded equal recognition with other forms of property, arguing for their role as caretakers of the landscape, their knowledge of oral history which spans 20 generations, and the folk heroes who participated in the independence struggle and who are themselves remembered in terms of landscape categories.

In seeking to 'repopulate' the geometric concept of space with settlement histories, ancestors and rights, adivasis of the Shoolpaneshwar sanctuary appear to be treading the familiar path of 'tribal' identity-formation, stressing the validity, even superiority of their ways of reckoning landscape and environment over those of the homogenising state and market. This has involved reconstructing Tadvi, Vassawa and Bhil history from the standpoint of the margins, reinserting the validity of the oral memory of resettlement into the discursive space of a homogenising legal structure that replicates the abstract reworking of space.

CONCLUSION

It is uncertain today how the dialogue between place and space, the local and the non-local will develop in the near future, and whether the Indian courts will accommodate a more pluralistic view of place-based rights to redress its erasure of place in previous forestry legislation. The difficulty of accepting 'oral histories' by courts has seemed to rest on the fact that societies in which vital information is passed by word of mouth are often ones in which history, per se, becomes encoded in performance or kinship narratives: there is often NOT a separate 'oral history' in the way in which literate societies conceive of it (Cruickshank 1992: 31). The recent case of *Sri Pradip Prabhu vs State of Maharashtra* (1995) indicates some success for a strategy that asserts the unity and specificity of adivasi identity in relation to place, although this case did not challenge the concept of 'encroachment'.[9] Instead, it chose to argue its case in terms of rights recognised prior to 1978. However, it did legally enshrine the prior rights of adivasis to land in principle. Following this success, Vassawa and Tadvi adivasis in one forest village in the sanctuary have filed a case in the Ahmedabad High Court, and adivasis of Akkalkua and Akrani districts of Maharashtra have filed a similar case in the Bombay High Court, arguing that in adivasi society the relationships between nature and the human world are symbolic and inclusive, in which each nurtures and conserves the other.[10, 11] Here, legal references to 'cultural specifity' open up the possibility that in future other than written records should be recognised. The petitioners claim that cultural relations to place and environment should take precedence over commodified and modernist definitions of land-use and property, which have failed to record and recognise adivasi traditions for the past century. A recent Maharashtra government committee has also recommended some legal recognition of such rights.[12]

While the future outcome of these new legal challenges is uncertain, it is clear that competing concepts of land-use, possession, and settlement history will be central to these interactions. Currently, the oppositions between place and space, the symbolic and the practical/scientific, are highly marked in the Narmada Valley, since the Indian government, like that of most countries today, couches its legitimacy in terms of capitalist globalisation, neo-liberal policies and technological development (Baviskar 1995). But the world of abstract rights embedded in the modernist state, however universalistic it claims to be, has privileged only one mode of relating to the landscape, i.e. that of individualised and written property ownership within a geometric grid of quantifiable space. Hence the re-articulation of diversity of rights and of human/environment nexus necessarily involves the reassertion of cultural identity against the homogenising erasure of locality and place. This is because the production of abstract space, embodied here in the notion of an eco-region as a site of rare biological resources, results in an appropriative violence when opposed to, and dismissive of, place-based knowledge of a history of human/environment interactions. Hence the only possible recourse has been the assertion of the legal validity of cultural differences and specific cultural definitions of relation to land use, landscape, history-making and landscape-mapping. Aside from their labour-power, 'culture' is one of the few things they have left to 'sell'.

Notes

1. As has been discussed in the 1998 volume of *Development* devoted to the concept of 'glocality'.

2. I am aware that the relationships between abstract spatial constructs that informed the Forestry Laws was unevenly implemented in the decades after 1878. I agree with K. Sivaramakrishnan (1999) that local configurations of power and environment shaped the degree of, or lack of implementation of Forestry Laws throughout South Asia and that a regional ecohistory is important to uncover these striking differences. This is certainly true for the region of the current sanctuary, which was a part of the princely kingdom of Rajpipla until its union with India in 1948. In this essay, I am merely plotting the type of worldviews that inform the training and education of forestry officials, and the kinship-mediated worldviews that inform Tadvi and Vassawa relations to landscape, rather than the empirical implementation of plans and the ways these were changed by local and regional interactions. This scientific training is not one that tends to give much weight to local concepts of the landscape. This article also does not address the issue of the degree of isolation or integration of Bhils into regional polities in the pre-colonial period (Guha 1999), that will also be the subject of a future paper in relation to Rajpipla. However, the specificity of kinship terminology and practices in Rajpipla outlined in this article supports Baviskar's view that there is (still) a distinct culture and mode of production in the hill communities.

3. Interview, Rajpipla, August 2001.

4. Interviews inside Shoolpaneshwar Sanctuary, August–September 1999.

5. I would like to thank Rasikh Bhai Tadvi and Ramji Nandria Vassawa for helping me identify and understand this kinship terminology.

6. I would like to thank Radhika Desai for helping me with Gujarati kinship idioms.

7. Interview, Rajpipla, July 2001.

8. I would like to thank Swati Desai of the Paryavaran Suraksha Samiti for alerting me to this pattern.

9. Writ Petition (Civil) no. 1778 of 1986, *Pradip Prabhu vs State of Maharashtra*, Judgment delivered 7 March 1995.

10. This has obvious parallels with the Delgamuukw land claims case in Canada 1997, although the latter differs from the Indian context in the fact that no treaties had previously been signed between the aboriginal peoples and the Canadian government in BC.

11. In the High Court of Judicature at Mumabi, Civil appellate Jurisdiction, Writ Petition of 2001, Vesta Dhama Pavra et al versus State of Maharashtra.

12. Daud Committee Report on Resettlement and Rehabilitation of SSP Affected PAFs in Maharashtra, chaired Justice S. M. Daud, (retired), tabled July 2001.

References

Basso, K. H. 1996. 'Wisdom Sits in Places: Notes on a Western Apache Landscape'. In *Senses of Place*, eds K. H. Basso and S. Feld, School of American Research, Santa Fe.

Baviskar, A. 1995. *In the Belly of the River: Struggling over India's Narmada Valley.* Delhi: Oxford University Press.

Brody, H. 1981. *Maps and Dreams.* Vancouver: Douglas and McIntyre.

Brown, L. A. 1977. *The Story of Maps.* NY: Dover Publications.

Buckle, Major C. 1862. *Papers Relative to the Improvement of the Forest Revenue of the Punch Mahals, Selections from the Records of the Bombay Government* 77 (NS): 13.

Casey, E. S. 1996. 'How to Get from Space to Place in a Fairly Short Stretch of Time: Phenomenological Prolegomena'. In *Senses of Place*, eds K. H. Basso and S. Feld. School of American Research, Santa Fe.

Connerton, P. 1989. *How Societies Remember.* Cambridge [England] New York: Cambridge University Press.

Cronon, W. 1996. *UnCommon Ground· Rethinking the Human Place in Nature.* New York: Norton.

Cruikshank, Julie. 1992. 'Invention of Anthropology in British Columbia's Supreme Court: Oral Tradition as Evidence'. In *Delgamuukwv BC, BC Studies*, Special Issue no. 95: 25–42.

Dumont, L. 1993. 'North India in Relation to South India'. In *Family, Kinship and Marriage in India*, ed. P. Uberoi. New Delhi: Oxford University Press, pp. 91–113.

Escobar, Arturo. 1998. 'Whose Knowledge, Whose Nature? Biodiversity, Conservation, and the Political Ecology of Social Movements'. *Political Ecology of Social Movements.* Vol. 5.

Government of India. 1880. Rew*a Kantha District Gazetteer.* Bombay: Government of India Press.

———. 1880. *Gazetteer of the Bombay Presidency.* Bombay: Government Central Press.

———. 1863. *Papers Relative to the Improvement of the Forest Revenue of the Punch Mahals.* Bombay: Education Society Press, Byculla.

———. 1884–95. *Rajpipla Administrative Reports.* Bombay: Government of Indian Press.

Guha, S. 1999. *Environment and Ethnicity in Western India.* Cambridge: Cambridge University Press.

Hardiman, D. 1995. *The Coming of the Devi: Adivasi Assertion in Western India.* New Delhi: Oxford University Press.

———. 1987. 'The Bhils and Shahukars of Eastern Gujarat'. In *Subaltern Studies*, vol. 5, ed. R. Guha. New Delhi: Oxford University Press.

Harvey, D. 1989. *The Conditions of Postmodernity*. Oxford: Basil Blackwell.

Hirsch, E. 1995. 'Introduction, Landscape: Between Place and Space'. In *The Anthropology of Landscape: Perspectives on Place and Space*, eds E. Hirsch and M. O'Hanlan. Oxford: Clarendon.

Ingold, T. 1996. 'The Forager and Economic Man'. In *Nature and Society: Anthropological Perspectives on the Environment*, eds G. Palsson and P. Descola. London: Routledge.

Jamison, A. 1996. 'The Shaping of the Global Environmental Agenda'. In *Risk, Environment and Modernity*, ed. S. Lash. London: Sage, pp. 224–45.

Lefebvre, H. 1991. *The Production of Space*, trans D. Nicholson-Smith. Oxford: Blackwell.

Nala, P. 2001. 'In the Spaces of Erasure: Globalisation, Resistance and the Narmada River'. *Economic and Political Weekly*, 2 June.

Palsson, G. 1996. 'Introduction'. In *Nature and Society: Anthropological Perspectives on the Environment*, eds P. Descola and G. Palsson. London: Routledge.

Rosaldo, R. 1989. *Ilongot Headhunting, 1883–1974: A Study in Society and History*. Stanford: Stanford University Press.

Santos-Granero, F. 1998. 'Writing History onto the Landscape: Space, Myth and Ritual in Contemporary Amazonia'. *American Ethnologist* 25 (2).

Scott, James C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.

Shewan, Alexander. 1891. *Land Alienations in Rajpipla*. Bombay: Government of India Press.

Sivaramakrishnan, K. 1999. *Modern Forests: Statemaking and Environmental Change in Colonial Eastern India*. Stanford: Stanford University Press.

Smith, D. 1996. *The Conceptual Practices of Power*. Toronto: University of Toronto Press.

Stebbing, E. P. 1926. *The Forests of India*. New Delhi: Periodical Expert Book Agency.

Trautman, T. 1993. 'The Study of Dravidian Kinship'. In *Family, Kinship and Marriage in India*, ed. P. Uberoi. New Delhi: Oxford University Press, pp. 74–91.

Williams, R. 1973. *The Country and the City*. New York: Oxford University Press.

13

Gajah and *Praja*

Conservation, Control and Conflicts[*]

Sagari R. Ramdas

In October 2007, a herd of seven[1] elephants from Orissa migrated to neighbouring Andhra Pradesh, entering Kurupam and Jiyyamavalasa mandals of Vizianagaram district, en route to the contiguous forest regions of Srikakulam. These forests are the traditional homelands of the Savaras, a primitive tribal group, as also Jatapu and Konda Dora adivasis, whose survival is intrinsically entwined with forests, where they live, collect forest produce, grow food crops, graze livestock and worship their ancestors. Between 2008 and 2009, 12 people,[2] including 11 adivasis and a non-adivasi journalist, were attacked and killed by the elephants. Most of the attacks occurred while the adivasis were collecting forest produce and tending their crops.

It was the first time in living memory that the adivasis had seen a herd of elephants in their forests. They were neither prepared, nor had memories or an inherited knowledge base to draw on to assist them in relating to, or co-existing with, the elephants, which left them feeling very vulnerable. This was not the case with their relationship to other wildlife commonly found in their ecosystem such as panthers and sloth bears (*Current Science* vol. 94, no. 11 2008: 1349–50), which are also known to attack humans on occasion if threatened, but had rarely done so in this region.

The adivasis were petrified and their lives were in complete disarray. They appealed for help to the state forest department, the Integrated Tribal Development Agency and the district collector. In 2008, the state government launched 'Operation Gajendra', to return the elephants to their original habitat, which they identified as the Lakhari Valley Wildlife Sanctuary in the Parlekhamundi division of neighbouring Gajapati district, Orissa, and sought the assistance of experts from Assam (Online 2007). According to the local adivasis, trained elephants were also brought in from Kerala and Chittoor in Andhra Pradesh to facilitate the transfer of the animals.[3] In the process of translocation, one elephant died,[4] which triggered a fresh wave of panic among the people because the six remaining equally panic-stricken animals attacked

* *Economic and Political Weekly* 45 (49), 4 December 2010.

homes and fields. The elephants made Burnakonda and Kummidi Itchapuram forests (spread across the scheduled Seethampeta and non-scheduled Veeraghattam mandals) their home.

The forest department dug a long elephant-proof trench around the forests and initiated steps to declare the region a wildlife sanctuary (*The Hindu* 2008). Scientists made a case for the Orissa-Andhra Pradesh border, including the habitat of the elephants spanning Veeraghattam and Seethampeta mandals of Srikakulam district and Jiyyamma Valasa mandal of Vizianagaram district, to be recognised as an elephant corridor and declared an elephant habitat zone, arguing that the creation of a wildlife sanctuary would pave the way for their protection. It was a travesty of justice that while the conservation of elephants gained immediate support from government officials, scientists and the media, this constituency had failed to support the 15-year-long struggle of local adivasis to include 241 adivasi villages currently located in the so-called 'sub-plan' areas of Srikakulam (including the region now inhabited by the elephants) and an equal number of villages in Vizianagaram under the Fifth Schedule of the Constitution, which would have gone a long way towards protecting primitive tribal groups, their homelands, forests, associated wildlife and biodiversity. Plans for the sanctuary heightened fears among the people, who anticipated being displaced and relocated from their villages. The year 2008 coincided with the notification of rules of the Scheduled Tribes and Other Traditional Forest-dwellers (Recognition of Forest Rights) Act, 2006 (FRA) and adivasi people's organisations mobilised local communities to use the legislation to confirm and claim their historic rights to the forests. The process of claiming community and individual forest rights was considerably hampered by forest and tribal welfare department officials who expressed reluctance and fear to enter the forests, which adivasi organisations claimed was a bogey raised by the officials to undermine the process of granting rights.

Elephant Exodus

A quick media search reveals that far from this being a one-off incident, there has been a virtual exodus of elephants from the Lakhari Valley Wildlife Sanctuary spread over 185 square kilometres and a consequent trail of elephant-human conflicts, loss of life, crops and property as the beleaguered animals migrate to new areas, predominantly within Orissa and neighbouring Andhra Pradesh (Online 2008; *The Hindu* 2009; *The Times of India* 2009; *The Hindu* 2009). It is clear that they are being forced to leave due to unimaginable levels of habitat destruction in and around the sanctuary, essentially linked to stone quarrying, the timber mafia, and mining (*The Economic Times* 2010; Online 2010). Wildlife experts in Orissa reported that intensive destruction of the sanctuary had caused the animals to stay away from their habitat for prolonged periods of time (*The Times of India* 2009). A member of the National Wildlife Board, Orissa, felt that elephants might be migrating from the sanctuary to new areas due to a spurt in industrial activities near the Niyamagiri hills after a bauxite refinery came up at Lanjigarh and raw material exploration

started on the hill, disrupting their traditional routes to the Niyamagiri hills in Kalahandi district (ibid.). The Orissa State Energy Department is considering a proposal to erect transmission towers and lay power lines inside the sanctuary, which would result in further deforestation and pose additional threats to wildlife habitats (*ProtectedAreaUpdate* 2007 vol. 13: 11). Mining, followed by deforestation and poaching, have emerged as important factors for the rapid loss of elephant habitats and corridors.

While Andhra Pradesh forest officials were busy proposing a new sanctuary that would displace local people to protect the displaced pachyderms of Lakhari valley, in January 2010, Orissa forest officials announced that they were counting on the support and involvement of local communities to control the large-scale migration of pachyderms from the Lakhari Valley Wildlife Sanctuary, as it was a shambles with the destruction of its thick forest by the timber mafia. The sanctuary officials sought the participation of local youth to protect and develop Lakhari valley as an ecotourism destination (Online 2010). Like their counterparts across the border in Andhra Pradesh, forest communities in Orissa have begun exercising their rights under the FRA to deal with activities that have affected forests and wildlife. Significantly, in the Lakhari Valley Wildlife Sanctuary, the people have issued a notice to the authorities to stop stone quarrying and crushing in forest areas. Communities are also preparing their own plans for managing their forest resources (*The Economic Times* 2010).

Gajah: Securing the Future for Elephants in India, the report of the Elephant Task Force (ETF 2010, subsequently ETF) constituted by the Ministry of Environment and Forests submitted in August 2010, refers to the widespread movement of elephant populations in this region, showing that it is not an isolated phenomenon as thought earlier (p. 73). Its chapters on 'Securing Elephant Landscapes' (pp. 40–70) and 'Mitigating Human-Elephant Conflict' (pp. 71–90) were of particular interest to us in the light of the ongoing conflicts faced by the adivasi people living near the Orissa-Andhra Pradesh border. These people face the challenge of having to live with elephants that, according to the ETF, have been 'displaced' because their home ranges and habitats have been severely degraded and are liable to cause serious human-elephant conflicts in new areas 'when they disperse out from their original habitat patch' (p. 73). The ETF describes how elephant clans have well-defined and specific movement paths, and how a disruption in them results in the affected clans coming into conflict with people. It deepens our understanding about 'dispersing herds' of elephant clans, which raid crops in new areas because of severe disturbance in the original range, clearly 'an indicator of serious problems in the natal area' (p. 77). Mitigation measures, asserts the ETF, should focus on 'stopping the causative factors of human-elephant conflicts' (p. 79).

The ETF unambiguously identifies developmental activities such as hydroelectric and irrigation projects, roads, railway lines, mining and high-tension electric lines as the primary cause of severe depletion and fragmentation of elephant habitats. Critically, it points out that government agencies or bodies regulated by the government are primarily responsible for the perpetration of these large-scale and

extremely visible activities and they could, at least in theory, be more easily addressed and arrested (p. 59). Mining, in particular open cast mining, is indicted for having 'delivered a severe blow to elephant conservation in the country', causing a range of irreversible transformations to the environment at the landscape and ecosystem levels such as 'alteration of landform features and fragmentation of biological habitats that may cause isolation of populations of floral and faunal species' (p. 65). Clearing of forests for mining has significantly destroyed biodiversity. Between 1996 and 2000, the growth of open cast mining was 7.6% compared to 0.7% of underground mining. The total forest land diverted for mining between 1980 and 2005 in India was 95,002.6 hectares (p. 65). The ETF underlines how mining has, in particular, hit the elephant habitats of central India, where they have been severely fragmented, leading to increased human-elephant conflict and animal movement to neighbouring states (p. 65).

Lost Opportunity

While the ETF states that residents in reserved areas should be partners and allies in conservation and not be treated as adversaries, it regrettably fails to recognise and record that these 'elephant habitats' have historically, for centuries, also been the ancestral homes of the adivasis of central India, who have been fighting to protect their homelands and forests from existing and emerging mining and other so-called development projects. The adivasi struggle for justice and resistance to displacement is perhaps the most important instrument of 'conservation' today; they are fighting not only for their survival, but also that of all other living creatures, a redress of power equations, and for the survival of the earth. The ETF disappoints in having failed to seize the historic opportunity it had of presenting a more nuanced and insightful description of the positive interactions between people's livelihoods and conservation, and to reaffirm adivasi people's integral role to the survival and sustainability of forest ecosystems, which is the spirit behind the FRA (Recognition of Forest Rights Act 2006). Instead, it continues to promote the much repeated 'livelihood versus conservation' frame of how 'non-developmental activities such as agriculture, grazing, firewood collection [all critical to people's livelihoods] have also contributed to the general degradation of habitat' (p. 59).

Consistent with and flowing from this ambivalent position on the centrality of adivasis and other traditional forest-dwellers in sustaining forest conservation regimes, the ETF's recommendations for conserving the elephant present some fundamental internal contradictions, which are already being raised by adivasi and other forest-dwelling communities that share the same habitations as elephants. They fear that enhanced displacement, loss of rights to their villages, homelands and traditional livelihoods will take precedence over halting the root causes of habitat destruction—mining, irrigation projects and monoculture plantations—all of which the ETF has forcefully analysed.

Elephant landscapes consisting of elephant reserves are to be made the basic management unit of conservation, and in addition to existing wildlife sanctuaries

and national parks, they are to be expanded to include other critical elephant habitats and corridors, all of which are to be brought under the protected areas network (p. 130). The entire area has to be notified as an ecologically sensitive area under the Environment (Protection) Act, 1986 (EPA), which will, according to the ETF, provide safeguards against changes in the landscape without harming pre-existing rights. One of the key recommendations of the ETF for long-term conservation of elephants is immediately notifying and securing 'elephant corridors' that have been identified as linking fragmented habitats. While it recognises the FRA as a key legal instrument, among others, for securing these corridors, with local people exercising and confirming their rights to their community forests using the legislation (p. 55), it recommends that the corridors should be secured and protected (against people?) through purchase of land, voluntary relocation of people, and, specifically for STs, an additional 'medium to long-term Relief and Rehabilitation package in line with the Government of India's draft R and R policy 2007'. If corridors are encroached on, it envisages fines and legal action (pp. 133–35).

How Will This Work?

Adivasis in and around the Lakhari Valley Wildlife Sanctuary and in neighbouring Andhra Pradesh, for instance, are already using the FRA to secure their community rights so that they can nurture forests back to health, using their customary practices and knowledge (FRA, chapter II, 3:1, i,k), which will simultaneously restore elephant habitats. The ETF, however, appears to indicate that once people secure their rights, they can be 'legally' made to leave by providing an adequate relief and rehabilitation package. Is this the fate that awaits the people who live in and around these elephant reserves and corridors? While the ETF does mention in several places the need to consult and take on board the needs of the people affected, the question remains whether they will have any power to decide on conservation strategies, which will include their right to say no to displacement and to continue to live in their homelands. Or will they only be expected to 'participate' in the implementation of state-determined conservation plans and mitigation measures, which predominantly favour 'keeping people out' of protected areas?

The ETF's excellent and comprehensive analysis of elephant behaviour and ecology points out that 'habitat loss in one area and habitat improvement in another do not balance each other or reduce human-elephant conflict, the affected clan will continue to raid unless they are directly addressed' (p. 74). In its recommendations on mining, while recognising that clearance under the FRA is mandatory, with the explicit consent of gram sabhas, before any forest diversion is carried out (p. 69), it continues to identify compensatory afforestation as a key measure to offset forests lost due to mining, and recommends that an additional 'net present value of the forest land diverted for non-forestry ... be recovered from the user agencies and used for conservation of elephant habitat' (p. 68). The ETF also suggests that funds from sources such as the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) be used for purchasing corridor land (p. 69). This

suggestion again is troubling, as existing CAMPA funds have been derived from extensive destruction and diversion of forests, which have already displaced adivasis and probably elephants. This ought not to be used for further displacement; that is, securing corridors and restricting the access of adivasis to them.

Coming back to our case study, the exodus of elephants from Lakhari can never be addressed by compensatory afforestation elsewhere. What has tó be stopped is the fundamental destruction of their natal habitat through quarrying, mining in the surrounding regions, and tree felling by the timber mafia if the forests are to be regenerated to their original diversity. As the habitat shared by people and the pachyderms continues to be destroyed by destructive development, as defined by the ETF, the animals continue to shift to newer regions. The creation of more inviolate zones and protected areas in Andhra Pradesh will certainly not address habitat destruction in the original area. As a matter of fact it is the local people who have accurately recognised that if there is to be any hope for the animals, it rests with the people reclaiming community control of their forest spaces, using legislation like the FRA. It also rests with a positive outcome for the struggles of local people in Vizianagaram and Srikakulam for being recognised under the Fifth Schedule, which will provide a massive impetus to strengthening governance in the regions inhabited by them.

Meanwhile, it is paramount that rather than resorting to the drastic (and in the long run wholly unjust) strategy of 'keeping people out' of protected areas, some of the very useful recommendations of the ETF on building local people's resilience and knowledge base to learn to live with displaced pachyderms and mitigate human-elephant conflict (p. 80) are initiated on a priority basis. This would involve building awareness and capacities among communities about successful tools to be used in guarding crops, holding regular public hearings to review and monitor situations, developing local-level databases to track and monitor the migration routes of herds, and enabling local communities to share the information.

Fundamental Question

The fundamental question is whether the ETF carries sufficient weight to really stem the root causes of habitat loss, which, in its own analysis, should begin with 'the theoretically easier' step of enforcing very strict ecological safety standards on activities pertaining to infrastructure, mining and large-scale development, thereby discouraging government decisions that now aid and abet such devastation (p. 20). The draft Mines and Mineral (Development and Regulation) Act, 2010, which hopes to 'buy' the consent of adivasis by offering them a 26% share in the profits of all future mining projects, does not abode well for the future of either elephants or adivasis because it will not stem habitat destruction. There are growing protests by people living in regions that are being rapidly notified as 'elephant corridors', indicating that recommendations made by the ETF are already being implemented, undermining local people's rights (*The Hindu* 2010). In the Orissa-Andhra region, proactive action (and legislation) to halt Vedanta Resources from mining in the

Niymagiri hills, as also people's initiatives to take control over their forests, have probably done more for elephant conservation than any voluntary relocation ever will. They are pointers to the new conservation paths to be taken.

Notes

1. While local adivasis insist it was seven elephants, which was confirmed by some reports (such as *The Hindu* 2010), it was also reported as 11 (*The Hindu* 2008).

2. There are conflicting reports on the number killed. While local adivasis reported the death of 12 persons, some dailies reported that 11 were killed (*The Hindu* 2008) and other publications reported it was 13 (*Current Science* 2008: 1349–50).

3. Personal communication, Chinnayya Adivasi Vikas Sangham, Srikakulam.

4. Once again, there are inconsistencies in the numbers. While Telugu newspapers and local communities have asserted that of seven animals, one died during the process of translocation (*Vaartha* 2010), English newspapers reported that of 11 elephants, two died during translocation, one was electrocuted and two more died due to unknown reasons (*The Hindu* 2008).

References

The Hindu. 22 October 2010.

'Wild Elephants in Gummalakshmipuram Forest Area in Vizianagaram District which Entered Andhra Border from a Sanctuary in Orissa'. In *The Hindu*. 1 April 2008.

'The Call for an Elephant Reserve in Andhra Pradesh'. *Current Science* 94 (11): 1349–50. 10 June 2008.

'Elephant Menace Continues in Andhra Village'. 14 November 2007. http://www.thaindian.com/newsportal/india-news/elephant-menace-continues-in-andhra-villages_1002108.html.

Vaartha. Srikakulam district edition. 29 October 2010.

'Nature in Distress'. 19 January 2008. http://www.zeenews.com/news419063.html#. Accessed on 4 November 2010.

'Elephants on a Rampage'. *The Hindu*. 19 June 2009.

'Jumbos Run Amok in Kandhamal'. *The Times of India*. 17 July 2009.

'Elephants Trample Two Women to Death'. *The Hindu*. 24 December 2009.

Dash, Tushar. 'The Ineffective Forest Rights Act'. *The Economic Times*. 24 April 2010.

'Lakhari Wildlife Sanctuary Officials Counting on Local People'. 3 January 2010. http://www.dnaindia.com/india/report_lakhari-wildlife-sanctuary-officials-counting-on-local-people_1330332. Accessed on 4 November 2010.

Protected Area Update, vol. 13: 11. 2007.

'The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act'. 2006.

'Withdraw Government Order on Elephant Corridor'. *The Hindu*. 9 November 2010.

14

Resolving People-Sanctuary Conflict in Protected Areas

Kushiara Village, Mirzapur[*]

Neela Mukherjee

Wildlife, in particular, and bio-diversity in general, are under serious threat from various forces, especially anthropogenic activities, and need to be protected on a war footing. Some of such species are already extinct while others are almost at the verge of gradual extinction and need immediate protection. On this account, steps taken to build wildlife sanctuaries and parks are laudable steps in that direction and the performance of the managers of such protected areas and their team of workers who are engaged in such a difficult task warrants appropriate recognition and due appreciation. Given the scale of the problem, many would agree that such efforts require further strengthening of measures so as to preserve and conserve bio-diversity in different forms.

On another plane, the problems of the local communities in and around protected areas also deserve proper recognition. What prompts me to write this article is the way many such sanctuaries are being managed by ousting local people as if they are the sole source of the problems. A process of excluding the local inhabitants creates adverse and complicated impact on their lives and livelihoods. Such ousting of local communities in state-managed efforts to preserve and conserve bio-diversity through protected areas generally lead to serious conflict situations with a series of problems, which if not handled properly, in time, can threaten the very purpose of establishing such protected areas. It is in the interest of both local communities and managers of protected areas that the former are involved in such areas, in practical ways, to jointly achieve their respective goals through collaborative endeavours. This would also help in conflicts to be reduced/resolved and create better understanding between the local communities and managers of protected areas.

A series of interactive sessions with the villagers of Kushiara-Khas offered interesting insights into the people-sanctuary conflict and was also suggestive of

---

[*] *Economic and Political Weekly* 31 (4), 27 January 1996.

ways and means for resolving such conflicts through adopting a more people-friendly approach.

Village Kushiara is on the periphery of the Kaimur wildlife sanctuary which has directly impacted the livelihood patterns of the local people. The sanctuary extends from Matihara village to Kushiara village. Some of the villages whose border run adjacent to the sanctuary include Matihara, Sagra, Harra, Nadna, Belahi and Kushiara. As per the villagers of Kushiara, the sanctuary has been in existence for around four years. The sanctuary has a boundary wall made of stones, which led to generation of one-time employment for the local villagers but also sealed their fate in reducing their age-old accessibility and benefits from the forest, now converted to a sanctuary governed with iron laws. Interestingly, the villagers are better informed about the sanctuary than the local Range office.

Village Kushiara is located in the Halia block of Mirzapur district of Uttar Pradesh. The village is situated just 3 km south of the Kaimur sanctuary. It is a remotely situated village with forests bordering it on three sides. It does not have proper road connections or electricity. The village has around 500 households and mostly inhabited by the 'Kol' tribe. In the 'remotest of the remote' Kushiara village not much development activities are to be seen except for a few handpumps installed in the village and a grassroots organisation involved mainly in organising primary education for children. The primary school of the village does exist, however, its operational part is quite poor, being often kept locked for reasons not known to many. It remained closed on working days, as seen by us during our period of visit to the village. Many villagers said that the functioning of the primary school is quite irregular and many of them prefer schooling provided by the local grassroots organisation, who in absence of a building or a blackboard, hold classes in the open air by teachers selected from amongst a few educated local boys. A tree plantation (located near the village primary school) of 7.5 hectares was done in 1991 by the local Forest Department, Halia Range, Mirzapur. There also exists another plantation in the village. However, the villagers are neither allowed for grazing into such lands, nor are they aware of what benefit or use will the plantation be to them. In 'Badhwa' hamlet of village Kushiara, the villagers are in frequent conflict with the forest and revenue departments because of land encroachment problems where both the local forest department and the revenue department claim possession.

Poverty, subsistence-living and deprived quality of life of the tribal community at village Kushiara are reflected in their consumption of coarse grains, the items and quantities they consume, their seasonal coping strategies to maintain consumption levels, the wages they receive, the average size and quality of their landholdings, the illiteracy, lack of medical care, child marriages, etc. The village is inhabited predominantly by 'Kol' tribe having subsistence farming and many of whom are also agricultural labourers; the staple food of village community is 'kodo-kutki', coarse grains, which is indigenously cultivated and 'bartered'; electricity is not available; development programmes are mostly absent; there is prevalence of high illiteracy; there is acute shortage of water for fields; there is conflict situation of the

local community with the adjacent wildlife sanctuary; and, there is heavy damage inflicted to crops in the village by wildlife from the adjacent sanctuary.

Conflict Situation

We learnt from the villagers about their relationship with the local revenue, forest and wildlife administration on a range of issues which gave rise to frequent conflict-situations. Our major focus was, however, the problems which local villagers had with the sanctuary. Some of the different dimensions of the local people-sanctuary conflict are: Seasonal dependence of indigenous community is affected on account of the sanctuary coming into existence; local livelihoods are affected especially those of subsistence-households; attack by wild animals from the sanctuary have increased considerably; heavy penalty is imposed by the sanctuary workers on villagers for theft, etc.; and land conflict with revenue and forest departments on account of encroachment of land by local villagers leading to ill treatment and corruption. Some of the adjustments made by the local community on account of the sanctuary are those in terms of consuming less food; facing greater uncertainties in food consumption; insecured livelihoods; impoverished living; physical encounters with sanctuary workers; migrating outside the village for jobs; temporary migration for grazing; and acquiring sanctuary products illicitly.

In order to learn more about the dynamics of people-sanctuary conflict, we conducted a series of interactive sessions with different village groups, both men and women. We were interested in learning from the villagers about their knowledge, experience, priorities, preferences and ways of resolving the conflict-situation with the sanctuary. In particular, we were interested in learning about the following: indigenous knowledge about the sanctuary from local villagers since it is they who interact with the sanctuary on a daily basis; relationship with sanctuary resources, their nature, extent and kind of dependence; experience of living in close proximity with the wild life sanctuary; nature of problems as a result of the sanctuary; stakes, if any, of the local community in the sanctuary; ideas for resolution of conflict; and priorities and preferences for collaboration with the local wildlife department.

We discovered a wealth of knowledge which village community of Kushiara had with regard to their adjacent sanctuary. While discussing about the sanctuary resources, two of the villagers made a rough sketch of the sanctuary area. This helped us in having a glimpse of the natural wealth existing in the sanctuary, such as location, species, land-use, location of forest fire and other sanctuary resources. This was followed by walks with the villagers to parts of the sanctuary to identify different flora and their uses.

Since the local villagers knew the range of sanctuary resources and interacted with them on a daily basis, we found them to be aware of the following: the land-use pattern of the sanctuary; parts of the sanctuary degraded and not degraded; degrees of physical degradation of sanctuary in different areas; type of wild animals; habitat of wild animals, their kinds and plausible reasons; the variety of flora, their distribution-pattern in the sanctuary and their location-specific density; the

roads within the sanctuary; the footpaths in the sanctuary used by the villagers for collecting fuelwood and fodder; places of common occurrence of forest fire and the accompanying reasons; poaching; water sources; seasonal variations of flora and fauna; usage of trees and plants; drought-food and forest food; and myths and beliefs concerning the sanctuary.

The village communities also described forest fires while talking about the sanctuary. There was an incidence of fire in the month of 'Baisakh' (mid-April to mid-May). Many villagers were active on their own in protecting the sanctuary from fire. When asked why they did so, groups of villagers said that it was in their interest because their animals grazed in and around the sanctuary and they benefited from the forest in other ways as well. According to the villagers, the fire usually emanated from those areas where there was thick growth of bamboo bushes, which easily caught fire due to natural frictions.

According to the villagers, hunters and poachers often come and hunt for wildlife in the sanctuary and take them back in their vehicles, or by other means. The sanctuary guards and para-guards are unable to stop them since they are armed and otherwise powerful.

The indigenous community is dependent on sanctuary resources in a variety of ways. These were in terms of fruits, nuts, leaves, flowers, seeds, gum, honey, medicines, fuelwood, fodder, logs of wood\ timber, meat, animal skins, grass, barks of trees for ropes, space for grazing and others.

A group of villagers described years of drought in the village since the beginning of the 1950s. On asking what constituted a drought or a 'sukha' in local terms, the village group responded saying that little or no rainfall during July-August-September generally lead to drought conditions. Drought has occurred frequently in that area in 1952, 1954, 1960–61, 1970, 1979 and 1987.

The sanctuary (erstwhile forest) provides drought-proofing in terms of food security for survival during drought conditions. Some of the forest food taken by them during drought were: wild borums can fill the stomach and prevent getting hungry for 10 to 12 hours if consumption of such borums is followed by drinking of water after an hour. 'Amla' fruits are combined with whatever little rice/wheat one takes during a drought period. They are boiled, mashed after removing seeds and kneaded into wheat flour for making 'chappatis'. This increases the overall quantity of food intake during drought conditions. 'Kathmouli' fruits (long hanging black fruits), which resemble tamarind, are seen as drought food. Other selected wild fruits, leaves, stems, seeds, nuts, roots, etc., are also taken as food during drought.

Visiting the village for five days, listening and learning from the villagers made for a cordial relationship for probing into selected issues. The villagers did not express their problems at once, they slowly opened up and gradually described their problems in detail. Interactive sessions with different groups of villagers were held to have a list of the problems faced by them on account of the sanctuary bordering the village. They pointed out that although the villagers are allowed to bring usual headloads of fuelwood and also collect small quantities of seasonal fruits growing in the sanctuary, they faced major problems concerning the sanctuary.

Livelihood avenues affected: Any sanctuary item plucked by the local community for subsistence-living (when used for livelihood purposes) is required to be reasonably large in quantum for selling it in the market-place for earning a living. The villagers were finding it difficult to pursue such livelihood avenues any longer on account of the laws concerning the sanctuary. Some items from the sanctuary which provided sources of livelihood were as follows. Lac (Laksha) collected in quantities of 1 kg or 2 kgs, fetched a local price of Rs 6 a kg. 'Chirounji' seeds available during March which, when collected could be sold at 2 to $2^{1}/_{2}$ kg at a local price of Rs 100 a kg. Tendu leaves, if collected for 20 days during mid-April to mid-May, had assured markets. Some 'mahua', if collected for 10 days during April–May also fetched a remunerative price. Many other minor items like 'amla' and 'jamun' fruits when collected from the sanctuary could be sold for multiple sources of livelihood.

Collection of tendu leaves: Amongst the problems listed by the villagers, one was that of disallowing collection of 'tendu' leaf from the sanctuary. This adversely impacts on the seasonal earnings of poor villagers which sustains them during the rainy season. Their economic loss is in terms of their potential earnings from 'tendu' leaf collection. As per their calculation, one bunch or 'gaddi' (in local terms) consists of 50 'tendu' leaves. One person is able to pluck 200 such 'gaddis' in one day and sell it at Rs 24 per 100 'gaddis' of 'tendu' leaves. For 200 'gaddis' it is Rs 48 per day per person. Almost all members of a household can find employment for 20 days a season in the month of 'Jeth' (mid-May to mid-June). Individual earnings are around Rs 48 x 20 days = Rs 960 per person. Such earnings provide them sustenance through the rainy season.

With the setting up of the protected area, the local villagers are disallowed from collecting 'tendu' leaves, which they did earlier to earn a livelihood for the rainy season. The villagers concede that many of the poor households are engaged in illicit plucking of such leaves from the sanctuary, being fully aware that this is not in accordance with the sanctuary laws. Since they are prevented from doing it legitimately during the day time, they generally collect the leaves during the early hours of the morning when it is still dark and sell it to the representatives of the 'Van Nigam', or the State Forest Corporation in a village, 3 km away, which falls outside the limits of the sanctuary. They are, however, paid at half the going rate, and due to the illicit nature of collection they are not able to strike a better bargain.

Damage to crops: The wild animals visit the village every now and then, eat crops and damage them. Sambars, wild boars, deer, antelopes, wolf, porcupine, hyaena, cheetah, leopard, jackal, etc., often raid the village. They eat away 'kodo' and other crops and also cause damage from 'ashar' to 'kuwar' (mid-June to mid-November). On occasions, they eat and destroy more than half of the crops grown. Starting from the sowing season, the villagers guard the crops from the wild animals. Earlier, the local raja used to come and hunt animals. However, since 1970–75, this has virtually stopped with the Wild Life Protection Act made more stringent and, more so, with the conversion of the forest into the sanctuary. As per the villagers, the number of wild animals has increased and the damage inflicted by them has also increased considerably.

TABLE 14.1: Estimates on Return from Crops

Area	Production (Quintal)*	Price/ Value (Rs)	Total (Rs)
* 'Makai' (maize)			
1 bigha	2	250	500
* 'Kodo-kutki'			
1 bigha	3	not saleable in local market	
* Paddy			
1 bigha	3	200	600
* Jawar'			
2 bighas	2	300	600
* 'Sarso' (mustard)**			
2 bigha	2		

* 1 quintal = 100 kg.
** favourite crop of Neelgai

Rough estimates of production and earnings from crops are indicated in the table. For instance, in five bighas of land without irrigation facilities the following are the estimates provided by groups of villagers.

In order to prevent crop damage, the villagers offered a traditional way of driving away animals. As suggested by them, if entry to the sanctuary was relaxed then the villagers could have assembled together, stood in a line, and made attempts to drive away such wild animals far into the interior of the sanctuary in their traditional way, known as 'khedna'.

Scarcity of mahua: Mahua trees in the sanctuary, which were earlier found in abundance, are no longer accessible to the villagers. Many of such trees, inside that of the sanctuary, have been felled since past years while a few still remain. This has led to scarcity of mahua flowers and fruits for both the local community and wild animals like bear. As a result, the bears often visit the mahua trees in the village and compete with the local people for having mahua. This also leads to attacks on humans by the wild animals within the village boundaries.

Difficulties in procuring wood: In this subsistence-village, at least 10 to 20 houses are built and/or maintained annually for which, on average, 40 logs of wood per hut are required; on each log of wood, illicitly procured, an average fine of Rs 500 is imposed by the sanctuary guard. There are no official arrangements to help the poor villagers to meet one of their basic needs concerning shelter.

Damage to livestock by wild animals: The sanctuary has led to increase in wild animals, which often come to the village, destroy crops and attack human beings. No compensation is paid. At least a couple of animals a month is destroyed by the wild animals.

The villagers were asked, both individually, and in groups, repeatedly, what other problems they wished to add to the list of problems. The women's group

added a seasonal criteria to the list of problems. This related to the low availability of sanctuary produce from the sanctuary during that particular season, i.e. the month of November. In most other seasons they were able to collect different fruits, medicinal herbs and plants, fuelwood, logs of wood, gum, resins, honey, etc. Most male villagers thought that the damage inflicted to crops by wild animals was the major problem; the same problem emerged as the priority problem for the women villagers as well. This was because the little crop that they produced in their marginal lands was critical to their livelihood, especially when most other avenues of earnings were arrested, either wholly or partially, as a result of the sanctuary coming into existence.

The interactive sessions with the villagers of Kushiara present a range of issues, and also indicate ideas for collaborative management of sanctuary. Some of the points can be summarised as follows:

Villagers of Kushiara have a large repertoire of indigenous knowledge, which is location-specific and can provide the required background to many issues and ways of resolving them. They are capable of interacting on their problems and also come up with suggestions/solutions for collaborating in practical ways.

Local livelihoods in Kushiara are intrinsically related to forest produce and the crops they grow. The local community at Kushiara is constantly coping with the damages and losses inflicted on it by the local wildlife. The local people are bearing the brunt of the sanctuary without any compensation or return.

Some recommendations and suggestions which follow from the above commentary are as follows. Efforts can be made for building of better relationship between the sanctuary workers and the villagers. It is necessary to properly sensitise the sanctuary managers and their team to the needs of the poor communities. This can be initiated through joint sessions of sanctuary workers and local villagers in the presence of mediators whether from the village, the local wildlife department or from outside.

The rights of the local communities to collect tendu leaf from inside the sanctuary may be restored in practice for their livelihood purposes. This would enhance food-livelihood security of the local villagers during critical periods, i.e. the rainy season. The poor villagers can also be allowed to collect selected products from the sanctuary in order to enrich their sources of livelihood and augment the quality of living. In return, the sanctuary managers can seek their active support and co-operation in protecting the sanctuary from theft, fire, poachers and hunters. This would reduce the possibility of conflict of villagers with sanctuary workers and reduce ill feelings.

There are large areas in the sanctuary which are quite degraded and some are almost barren. The sanctuary managers and the local villagers may jointly plan out ways for eco-restoration, while the process of selection of species and plantation can be undertaken by the village community keeping in mind the welfare of both the villagers and wildlife. The village women can play a lead role in such selection. The sanctuary has many medicinal herbs and plants, while a few more can be grown on the degraded areas.

The village community can be involved in raising nurseries for plantation in the sanctuary and the village. This would provide them with additional sources of revenues. Genuine efforts need to be made in consulting the village community on how to protect the sanctuary and involving them in such action plans. They are likely to pay high dividends in the long run.

Ways for providing appropriate compensation to the villagers may be identified to compensate them for damage of crops by wild animals, and arrangements are also required for timely medical treatment for injury caused through attacks by the wild animals. The wildlife department can seek the help of the local villagers and nongovernmental organisations for organising such compensation measures. There is scope for increasing goodwill through such steps. In addition, as suggested by the villagers, they can be entrusted with the responsibility of driving the wild animals into the interior part of the sanctuary by using traditional methods.

Regarding the problem of procuring wood for construction, selected areas of land, both in the sanctuary and the village can be planned for tree plantation and harvesting by villagers, to be used by the local community for construction. Not only is cash income required for gram sabha through Jawahar Rozgar Yojna, but also benefits to villagers in kind should accrue so as to meet their requirement for logs of wood, which is one of their main problems.

Efforts can be made to increase the number of mahua trees inside the sanctuary for providing food to wild animals, like bear. It is the shortage of mahua trees inside the sanctuary that often brings the bear to the villages. This, in all probability, would reduce the possibility of man-animal conflict.

It is of crucial importance to protect the existing wildlife from further depletion by setting areas, zones and standards for their necessary conservation and preservation. It is also of equal importance that the local communities living in close proximity to such protected areas are also protected from any major loss of livelihood and accessibility to such sanctuary resources. There appears to be a trade-off between accessibility of people and that of wildlife to such resources. However, in practice, it should be possible to minimise such trade-offs by making local communities involved in the protection of such areas.

The needs of the local communities concerning their access to reasonable quantities of minor forest produce can be protected, and their co-operation solicited for reducing theft, poaching, forest fires and other hazards faced by the sanctuary. It is possible to arrive at practical solutions where both people and protected area managers participate to benefit from each other. This would help the local communities in benefiting from such involvement as far as their livelihoods are concerned and, in turn, wildlife can also be treated with greater understanding and concern by such communities. There are feasible ways of getting the local communities involved by negotiations for formation of groups, committees and protection forces for protected areas. Such opportunities to turn conflict-situations into those of co-operation with local communities are steps in the positive direction. Collaboration and partnership with local communities can help in lessening conflicts, and also create stakes and involvement of local communities to preserve and conserve bio-diversity.

SECTION

V

Displacement and Rehabilitation: Role of the State

15

Displacement due to Mining in Jharkhand*

Mathew Areeparampil

For a proper understanding of the problem of displacement of people due to mining we have to look at it from the wider perspective of dispossession that results from such mining activities. Displacement becomes a problem because of the dispossession that results from it. In this article, we shall consider the phenomenon of dispossession of the indigenous people of Jharkhand area in middle India due to the gigantic mineral exploitation programmes going on in that region.

Jharkhand, which means 'forest tract', is the ancient name given, as a whole, to the forested upland geographically known as the Chhotanagpur plateau forming the northeastern portion of the Peninsular plateau of India. Jharkhand is one of the richest areas in the whole country, rich in minerals with huge reserves of coal, iron ore, mica, bauxite and limestone and considerable reserves of copper, chromite, asbestos, kyanite, china clay, fire clay, steatite, uranium, manganese, dolomite, tungsten, gold, etc. The distribution of these minerals is mostly localised. Coal is found in the Gondwana rocks of the Damodar basin. The well-known coalfields of the area are Raniganj, Jharia, east and west Bokaro, Ramgarh, and south and north Karanpura.

If Damodar valley is the repository of coal resources, Singhbhum is a veritable museum of non-fuel minerals with huge deposits of iron ore and sizeable deposits of copper, uranium, chromite, asbestos, kyanite, china clay, manganese, etc. The Kolhan series of iron ore in Singhbhum is one of the richest iron belts in the world. The Singhbhum copper-uranium belt contains the largest deposits of copper and uranium in the country today. The world's largest deposit of high grade kyanite occurs at Lapsa Buru in the Singhbhum shear zone.

Mica is an important mineral for whose deposits the Jharkhand area leads in the world. The mica belt covering about 3,800 sq km lies in the northern parts of the districts of Hazaribagh and Giridih. Bauxite is found in and around the Pat

* *Economic and Political Weekly* 31 (24), 15 June 1996.

region in north-west Ranchi district. Thus, Jharkhand area has rich endowments of both metallic and non-metallic minerals. This region produces 48 per cent of the country's coal, 45 per cent of its mica, 48 per cent of its bauxite, 90 per cent of its apatite and all of its kyanite. Further, this region is very rich in forests. 84.42 per cent of Bihar's forest area lies in Jharkhand. Singhbhum has Asia's richest sal forests.

The natural wealth of this area contrasts sharply with the desperate poverty of its inhabitants. For centuries, this region has been the homeland of indigenous people such as the Santhals, Mundas, Oraons, Hos, Gonds, Kharias, Bhuiyas, Bhumij, Birhors, Turi, Sadans, Kamar, Kumhars, Kurmis, etc. who are also known as adivasis which literally means 'original settlers'. They have a distinct culture and an identity rooted in their land which they are determined to preserve. Their societies are community-based with land owned communally. Community life is cooperative and based on sharing, with decisions taken jointly through consensus. They consider their societies classless, egalitarian and close to nature.

These indigenous groups comprising 85 to 90 per cent of the total population of Jharkhand have been the worst hit by the large-scale exploitation of the natural resources of the region through the development of mines, industries and commercial exploitation of forests. The majority of them live in a state of semi-starvation throughout the year. The remaining 10 to 15 per cent of the population of the area are immigrants who migrated to amass wealth for themselves. The history of the indigenous people of Jharkhand is one of struggles against such outside exploiters whom they contemptuously call *dikus*. These dikus have gradually reduced them to a non-dominant position (Areeparampil 1989: 13–38).

Mineral Exploitation

In the name of 'national interest', the Jharkhand area is witnessing a gigantic industrialisation and developmental process involving the exploitation of its natural and human resources. The opening of coal mining in Dhanbad area during the second half of the nineteenth century, and the establishment of the Tata Iron and Steel Company (TISCO) in Jamshedpur in Singhbhum district in 1907 marked the beginning of the large-scale exploitation of mineral and other industrial resources in this area.

Coal is the biggest mining industry of Jharkhand. Prior to nationalisation in 1971, coal was mined in a haphazard manner by the private mine owners. After nationalisation the entire coal industry of the region was entrusted to Coal India Limited (CIL), and its subsidiaries (excepting a few captive mines of TISCO and IISCO). Coal India owns and operates 494 mines and 15 coal washeries through its subsidiary companies. From a mere 72.95 mt in 1970–71, coal production has quadrupled to around 305 mt per annum today. It is poised to touch 417 mt by the year 2000. Over 60 per cent of this is expected to come from open cast mining (Tandon 1990: 23). At present massive programmes in collaboration with multinational companies are going on for the exploitation of the coal wealth of Jharkhand.

After coal, iron ore is the next important mining industry of the region. Mining of iron ore in Singhbhum area started at the beginning of this century. At present large-scale mining is going on at Gua, Jamda, Noamundi, Chiria, Manoharpur, Kiriburu and Meghahatuburu. These mines contribute about 40 per cent of iron ore produced in India. Most of the ore is consumed by steel plants at Jamshedpur, Bokaro and Durgapur.

Copper is a very important mineral found in east Singhbhum. This area has been a site of extensive mining activity for along lime. Ancient pits, rock dumps and slag heaps scattered over this tract date between 2000 BC and sixth century AD. In recent years mining activities in many old workings have been revived by the Hindustan Copper and continuous production is maintained by the five operating mines at Rakha, Kendadih, Surda, Pathargora and Mosaboni.

The mica belt of the region supplies 71 per cent of the world's high quality sheet mica. The major mining activities are centred in the Kodarma reserved forest area lying north of Kodarma covering an area of 147.61 sq km. Other mica producing centres of the region are Chatkari, Domchanch and Dhab. The mica godowns and dressing industries are located mainly in Kodarma, Jhumri Telaiya, Domchanch and Giridih towns.

Limestone is quarried in Singhbhum, Hazaribagh and Ranchi districts. Kyanite is an important refractory mineral used in iron and steel industry. It is found mainly in Singhbhum district. This mineral enables the country to earn a good deal of foreign exchange. Bauxite quarries are located in north-west Ranchi district. Besides the above, china clay mining is developed mainly in the Hat Gahmaria area of Singhbhum and in Palamau, Ranchi and Santhal Parganas. Fire clay mining and its associated industries have developed in the Damodar basin in Jharia and Raniganj coalfields. Mining and processing of manganese, apatite, chromite, quartz, silica, steatite and asbestos have developed on a large scale in various parts of Singhbhum. Sizeable production of silica sand comes from Sahibganj district. Rock phosphate is mined in Palamau area. The Uranium Corporation of India, a public sector undertaking, has established a uranium processing plant at Jaduguda in east Singhbhum and has started mining uranium at Bhatin, Narwapahar, Turamdih and other areas of this district.

The industrial landscape of Jharkhand has undergone considerable change during recent years mainly around Jamshedpur, Rourkela, Ranchi, Bokaro and in the coal mining areas of Dhanbad and Ramgarh. The large-scale industries of these centres are based mostly on the vast metallic and non-metallic mineral resources available in the area. All these centres have attracted a large number of other industries in their suburbs and adjoining areas. The non-metallic mineral industries are mainly situated in the Damodar basin centred around Dhanbad and Ramgarh. The important non-metallic mineral industries include cement factories at Japla, Jhinkpani, Sindri, Khalari and Rajgangpur, fertiliser factories at Sindri and Rourkela, refractory works at Dhanbad and Ramgarh, glass factories at Kandra and Bhurkunda, mica industries at Jhumri Telaiya and Giridih, and coal washeries and coke oven plants in Hazaribagh and Dhanbad districts. Besides, a large number of

medium and small industrial hubs of forest and agriculture-based industries, small engineering and manufacturing industries, chemical industries, etc. have developed at other centres of the region.

Large thermal power generating plants have been built at Bokaro, Patratu, Chandrapura, Sindri, etc., and hydro-electricity is generated by the Damodar Valley Corporation (DVC) at its various plants which supply power for industries in Jharkhand and adjoining areas.

With the intensification of mining and manufacturing activities this region has registered a phenomenal growth in urbanisation. From less than 2 per cent at the beginning of the century and 11.5 per cent in 1961, the urban population in Jharkhand has grown to 21.25 per cent in 1991 as compared to 16.14 per cent for the whole of Bihar. The number of towns increased from eight in 1872 to 134 in 1991. The urban centres are chiefly concentrated in the Damodar and Subarnarekha basins which are the two main mining and manufacturing zones of the region.

The industrial revolution taking place in the Jharkhand region is causing an explosion of various sorts in the area. One can call it an explosion because of its totally unparalleled scope and the catastrophic nature of the changes that it is bringing about in this region. It is causing an unprecedented assault on the relatively stable and self-sufficient indigenous people and their land and other resources.

Impact of Mining

For centuries, the indigenous people of Jharkhand lived in a harmonious relationship with their environment. Since their lives are closely related to nature, any adverse impact on the environment in which they live in, will adversely affect their lives also, and vice versa. The concept of displacement should be seen from the wider perspective of this symbiotic relationship between the environment and people. The exploitation of mineral resources through surface and underground mining has caused wide-ranging environmental problems such as land degradation, air, water and noise pollution, etc. These problems are accentuated by the multiplier effect of mining in a region which has acted as a catalyst for urbanisation and industrialisation. The direct effects of mining are compounded by the indirect effects of these inescapable developments.

The large-scale mining and allied activities going on in the Jharkhand region have caused severe damage to the land resources of the area. Vast areas of rich forests and agricultural lands belonging to the indigenous people have been laid waste because of haphazard mining. Underground mining operations, especially of coal, have created unsafe surface conditions in many areas warranting diversion of roads, railway lines, etc., and the shifting of a number of townships. Over 49 localities have been declared unsafe for human habitation in the Raniganj coalfield alone. The union government is reportedly planning to rehabilitate the new town of Mangalpur near Raniganj where 60,000 people are affected by mine-related subsidence (Anon 1994a). According to the Chari Committee report, 6,055.5 hectares of land in Raniganj coalfield, and 4,561.14 hectares in Jharia

coalfield have been severely damaged due to subsidence, abandoned quarries and spoil dumps (Chari et al. 1989).

Of the 2.13 million hectares of land in which coal is found in India, over 0.36 million hectares (16.9 per cent) have been damaged due to past coal mining activities (Rehana and Saxena 1994: 235). According to B. P. Baliga, former head of the environmental engineering division of Central Mine Planning and Design Institute Limited (CMPDI), 'In the 1980s the coal mining industry became identified as a major cause of damage to the environment', with more than 75 sq km of land being destroyed every year. In a recent paper, Baliga has pointed out that as early as 1973, the following negative effects of coal mining over the years came into focus: (a) 651 (352 in ECL 299 in BCCL) abandoned open cast mines; (b) 6,898 (4,343 in ECL, 2,031 in BCCL, 524 in CCL) subsided areas due to past underground mining operations; (c) 1,101 (370 in ECL, 631 in BCCL, 100 in CCL) abandoned external reject dumps; (d) 70 mine fires covering an area of 17.32 sq km in Jharia coalfield, eight mine fires each in Raniganj, East Bokaro and Karanpura coalfield (Baliga 1994). As a result, more than 122 sq km of area belonging to CIL alone has now become derelict.

The large-scale mining operations going on in the region have adversely affected groundwater table in many areas with the result that the yield of water from the wells of adjoining villages has drastically reduced. Further, effluents discharged from mine sites have seriously polluted the streams and underground waters of the area. Acid mine drainage, liquid effluents from coal handling plants, colliery workshops and mine sites and suspended solids from coal washeries have caused serious water pollution in the region, adversely affecting fish and aquatic life.

The Damodar river, the major source of water in the region, is perhaps the most polluted river in India. It receives wastes from the many industries situated on its banks. A study of the area showed that a single coal washery was discharging about 40 tonnes of fine coal into the Damodar every day. There are as many as eleven coal washeries in the region with an annual installed capacity of 20.52 million tonnes (Singh 1985: 217). Today the Damodar or Damuda, considered a sacred river by the Santhals, is quite like a sewage canal shrunken and filled with filth and rubbish, emanating obnoxious odours.

Other major rivers of the region are also seriously polluted. The Karo river in west Singhbhum is polluted with red oxide from the iron ore mines of Noamundi, Gua and Chiria. The Subarnarekha shows a different type of pollution, even more hazardous than this. Metallic and dissolved toxic wastes from TISCO (Jamshedpur) and HCL (Ghatsila), and radioactive wastes from the uranium mill and tailings ponds of the Uranium Corporation of India Limited (UCIL) at Jaduguda flow into Subarnarekha and its tributaries. Millions of people living along the banks of these rivers are compelled to drink water which contains the radioactive and chemically contaminated wastes. Mining and allied operations are causing serious air pollution in the region. Open cast quarries, coal washeries, thermal power plants, coke-oven plants, cement factories, fertiliser plant, etc. contribute to serious air pollution.

VICTIMS OF DEVELOPMENT

The large-scale exploitation of the natural resources of the region through the development of mines, industries, etc., has adversely affected the indigenous people of Jharkhand. They are systematically and methodically being dispossessed of the ownership of their means of production, of the products of their labour and of the very means of human existence. They are dispossessed of their political autonomy and their communities broken up in the name of 'development' for 'national interest'.

A new type of internal colonialism is being unleashed on them by the ruling classes of the country. The new liberalisation policy of the government and the opening of the mining sector to private concerns and multinational corporations will lead to further destruction of the area by these vested interests.

LAND ALIENATION AND DISPLACEMENT

The indigenous people have a special relationship with their land. To them, land is not simply a factor of production as it is for other people, but a source of spirituality as well. Regarding ownership of land, the indigenous people have different concepts, often incomprehensible to outsiders. In the first place, ownership of land is vested in the community. No individual has the right to permanently alienate the land from the community. The tribe is the trustee of the land it occupies. The community or tribe includes not only the living members, but also the ancestors and future generations. That is why for the indigenous people land and blood are homologous. Their society, culture, religion, identity, and their very existence are intimately linked to the land they hold.

To separate the indigenous people from their land is tantamount to tearing them apart from their life-giving source. But colonial exploitation of their territory has meant precisely that for many of the indigenous people of Jharkhand region. A number of them have been illegally dispossessed of their land. Many have been forced to leave their homes to work in the brick kilns and stone quarries of north Bihar, West Bengal, Uttar Pradesh, Punjab and other places as contract and even bonded labourers.

Although the exact extent of land alienation and displacement is difficult to ascertain, we shall try to get a rough picture of the situation by examining the extent of displacement caused by some of the major projects of the area. One of the major causes of land alienation and displacement in the area is the mining industry, particularly coal. In the past, vast tracts of the coal bearing areas of Damodar Valley had been acquired by private firms often by fraud and turned into wastelands by haphazard mining. After the nationalisation of the coal industry, coal mining in this region was entrusted to CIL and its subsidiary companies BCCL, ECL and CCL.

These coal companies are at present acquiring extensive land areas and displacing a large number of families. According to an estimate, between 1981 and 1985, the Central Coalfields acquired 1,20,300 acres of land. Similarly, Eastern Coalfields has acquired about 30,000 acres during the Sixth Plan period. More than

32,750 families have been displaced. But Coal India could offer jobs only to 11,901 displaced people (Government of India 1985).

A study by CMPDI—a Ranchi-based, subsidiary of Coal India Limited (CIL)—has envisaged that up to 1994–95 the total land requirement for coal projects in Jharkhand area would be 62,642 hectares of which 22,843 ha (37 per cent) would be forest land. Out of this 11,909 hectares of forest land and 26,576 hectares of non-forest land would be taken up by coal projects in the Karanpura valley alone (Tandon 1990: 29). The Rajmahal Coal Mining project of ECL in the Godda district will displace about 6,000 people from seven villages. In this project, the pit area under proposed mining covers 5.5 sq km.

The Piparwar Coal Project, located in the North Karanpura valley, covers an area of 6.38 sq km with mineable coal reserves of 197 million tonnes. The Piparwar open pit mine started in January 1990 is the first of what could be no less than 24 new coal mines, which would rip the valley from one end to the other, to yield 29 tonnes of coal annually. According to official claims, the project will displace 460 families from two villages. However, unofficial reports say that at least 15,000 people from 14 villages and hamlets will be severely affected by the mines, the washery and other auxiliaries. The project is causing severe damage to the environment; 289 hectares of reserved forests are being clear-felled for the construction of the mine and other facilities. The coal produced at Piparwar will be transported to two thermal plants near Delhi for generating electricity for the use of industry and domestic consumers in Delhi. All this would happen at the terrible cost of environmental destruction and social damage in the entire north Karanpura valley.

The north Karanpura valley contains some of the best rice lands and forests in Hazaribagh district. The valley is also unique in its archaelogical significance. Recently, exquisite pre-historic rock paintings have been discovered in cave shelters at IISCO and Thethangi in the eastern part of the valley. Further, ancient stone implements, iron slag and burial grounds have been found at several places close to the Piparwar mine site. All these remnants of a rich and long cultural history are threatened with imminent destruction due to the project.

According to the *Directory of Mines and Mine Leases* published in 1976 by the Indian Bureau of Mines, there were about 300 mines operating in Singhbhum and more than 1,51,000 acres of land were leased out, owned mostly by private agencies. However, the total land area affected by mining is many a times greater than the simple lease area. A lot of land is illegally mined by private contractors. Besides, land is also converted into roads, townships for miners, infrastructure for administrative purposes, stockyard for preliminary processing operations, etc. Further, disposal of mining debris creates pollution and makes agricultural fields infertile forcing the people to abandon or alienate their lands and move out to other areas.

The UCIL, situated at Jaduguda in east Singhbhum is the only producer in the country of the vital nuclear fuel needed in all atomic reactors fed by natural uranium. Presently, UCIL operates two mines at Jaduguda and Bhatin, a uranium mill at Jaduguda and plants for uranium by-product recovery. The company has

started work on setting up new underground mines at Narwapahar and Turamdih, a mill at Turamdih at an estimated cost of over Rs 4,950 million.

Exact figures are not yet available about the extent of land alienation and displacement due to uranium mining and allied activities. UCIL has taken over five villages belonging to the indigenous people for setting up the mines, the processing plant, colony and the township at Jaduguda. According to the 1961 Census, the total population of these villages was 2,047, of whom 47.1 per cent were tribals, mainly Santhals. Many indigenous families were displaced from their ancestral lands due to the construction of mines and mills at Bhatin, Turamdih and Narwapahar. They have not yet been properly resettled, nor have they received full compensation for their lands. Many of them are living on vacant lands along the railway lines and roadsides near the Sundernagar area.

Due to the mining and processing of uranium in their area the indigenous people and others living at Jaduguda and nearby villages have become the immediate victims of the hazards of radioactivity. They are meeting a slow, agonising death due to radiation and contamination of their environment. Life-giving sources such as air, water, animals, fishes, plants, etc., have been affected. Known and unknown diseases have spread into the villages ringing the knell of death (Areeparampil 1993: 33–47; Anon 1994b).

The growth of mining activities in the region has acted as the most powerful stimulant in the emergence of new industries and in the growth of new urban centres. These in turn have caused further alienation of indigenous people's land and their displacement. Thus, the Damodar Valley project (DVC) alone has displaced 93,874 persons from 84,140 acres of land in 305 villages. Of these 37,320 acres were cultivated land (Singh 1985: 223). For the construction of Rourkela steel plant, mines and the Mandira dam, 32,567.71 acres of land were acquired resulting in the displacement of 4,251 families of which 2,074 families belonged to STs. The Heavy Engineering Corporation established at Hatia near Ranchi in 1958 displaced 12,990 persons, who belonged mostly to Oraon and Munda tribes, from 9,200 acres of land. For the construction of Bokaro Steel Plant, 30,984.22 acres of land from 46 villages were acquired displacing 12,990 families, 2,707 of them tribal.

The rapid expansion of industries and mines in Jharkhand was followed by a phenomenal growth in urbanisation and a large-scale influx of outsiders to the area. This, in turn, has resulted in increased land alienation and displacement of indigenous people. This displacement caused by the expansion of the industrial-urban sector further resulted in many cases in the migration of indigenous people to outside regions in search of livelihood. The immigrant outsiders have legally, or by fraud displaced the indigenous people from their habitat.

The extent of the influx of these outsiders to the area can be seen from the fall in the proportion of STs and SCs to the total population of the area: in Singhbhum the proportion of STs and SCs fell from 58.54 per cent in 1931 to 47.38 per cent in 1991; the proportion of ST alone fell from 54.08 percent in 1931 to 42.28 per cent in 1991. The situation is similar in other parts of Jharkhand. Districts like Dhanbad, Ranchi and Hazaribagh have also had very great increase in the number of

immigrants. About 32 per cent of the people living in Dhanbad district in 1981 were in-migrants. During 1981–91 alone the proportion of STs to the total population in the whole of Chhotanagpur and Santhal Parganas fell from 30.26 per cent to 27.67 per cent. This clearly shows the rapid increase in the influx of outsiders.

The displacement of indigenous people can also occur through indirect pressure on their lives by the establishment of industries, mines, towns, etc. One such factor, which forces them to move out of their habitat, is pollution of air arid water. For example, the cement dust from the ACC cement factory at Jhinkpani in Singhbhum is polluting the air and making vast areas of agricultural land practically useless. Besides, the adivasis have an aversion towards the dikus and move out of their areas because of conflict of cultures when the dikus become a majority. The increasing criminalisation of society in the industrial-urban sector due to robbery, *goonda*ism, prostitution, communal riots, etc. is another reason why the simple indigenous people opt out of such areas. This negative urban pressure is accompanied by rising price offers by speculators for their land. These push and pull effects have indirectly forced the indigenous people to move out of their hearths and homes.

Enslavement of Indigenous People

In the name of 'development' for 'national interest', the Jharkhand area is witnessing not development but the rape of its people and of its natural wealth through a process of colonialist and capitalist exploitation. The brutality inherent in the process of industrialisation, the plundering of its mineral wealth, and the decimation of its forests which provided much of the livelihood for its people, has not only reduced the majority of its inhabitants to destitution, but has also brought the area to the brink of an ecological disaster.

The large-scale capitalist exploitation of the wealth of Jharkhand requires a vast army of cheap casual labour. The indigenous people who are reduced to destitution are forced to accept this role. The capitalist development and exploitation thus form a vicious circle for the indigenous people. On the one hand, it has rendered ever increasing numbers of them destitute through eviction, destruction of their sources of livelihood, etc., and on the other, it has utilised their destitute condition to employ them for a specific role in this process, namely, that of sweat labour or proletariat. Moreover, every attempt is made to keep them in such a situation because without them remaining in such a state, no so-called 'development' is possible.

The New National Mineral Policy announced by the government in March 1993 with much fanfare is designed to attract private and multinational investors for large-scale expansion of mineral exploitation in the country. India is a major mineral producer. It is the world's fourth biggest producer of hard coal and bauxite and fifth in terms of iron ore. Since all these major minerals are mined mostly from the Jharkhand region the new mineral policy will have far reaching consequences for the environment and people of this area.

The dominant mining companies of the world are now showing great interest in India, especially in the Jharkhand region. The White Industries of Australia and

the Canadian Met-Chem company have already taken up projects in the coal sector. The Piparwar Coal Project is being jointly run by CIL and the White Industries. The total cost of the project is estimated at Rs 542.43 crore. The Australian aid component will be A$206 million, three quarters of which will actually be spent in Australia on design and implementation. The Australian business interests will make a substantial profit (more than A$150 million) from this project.

The Rajmahal Coal Mining project, one of India's largest open pit mines, is an ambitious hi-tech project in one of the country's poorest districts, Godda Met-Chem, a Canada-based multinational serves as collaborator-consultant to ECL in this project and has been awarded a contract of C$ 166 million by CIL. According to a recent study, Met-Chem is a living example of how it is possible to make big money out of one of the country's poorest districts. In a project worth Rs 966 crore, the charges made by Met-Chem for consultancy service alone come to Rs 105 crore. In accordance with the agreement Met-Chem is placed in charge of 'procurement of equipment, technology transfer, technical consultancy in mining, mine planning, maintenance and truck dispatch systems'. In effect, Met-Chem became purchaser, middleman, consultant and collaborator, a deadly combination as it proved. The multinational has gained enormously being the sole entity in charge of procuring equipment worth Rs 474 crore. The indigenous people of Godda district have not benefitted from this great project. The ECL is making losses. The only visible beneficiary is the multinational Met-Chem that, by its own admission, is doing okay (Sainath 1993a and 1993b).

It is reported that Coal India is planning a massive expansion programme of its coal mining operations in the Jharkhand and adjoining areas. The total costs of the proposed programme, known as 'Coal Sector Rehabilitation Programme', are estimated at about US $ 1.9 billion. The estimated foreign exchange requirements are about US $1.1 billion. Part of the financing would be provided through a World Bank loan of US $400 million and an IDA credit of US $25 million, most of which will be used for purchase of machinery and for technical assistance from multinational companies. The proposed arm of the project is to implement various reform measures to make coal industry commercially viable and financially self-sustaining. Some of the planned reform measures are: closure of old mines and opening of new economically viable mines, mechanisation of mining operations and retrenchment of workers. All these will have tremendous adverse impact on the ecology and on the people of Jharkhand. While the multinationals and the commercial and industrial sectors will amass huge profits, a large number of indigenous people of Jharkhand will be driven out of their homelands and deprived of their sources of livelihood.

According to press reports, the UK based RTZ Corporation, one of the two largest mining conglomerates in the world, and notorious for various human rights violations, has recently held discussions with the Indian and Orissa state governments on the possibilities of mining iron ore in proven areas. International environment pressure groups and human rights organisations, such as Minewatch and Partizans—both based in London, monitoring global mining industry—are

watching with great apprehension the proposed entry of RTZ into India. These organisations have documented RTZ's recent involvement in the violation of indigenous people's rights, the alleged contribution of the corporation to the war in Papua New Guinea, environmental destruction in South America and Southeast Asia, and the export of toxic wastes. The company was fined in 1988 and 1990 for breaches of health and safety regulations.

The developed countries with one-fourth of the world's population consumed 75 per cent of the minerals produced in the world (United Nations 1992: 35). As the deposits of minerals in these countries are gradually getting depleted, mining multinationals like RTZ are looking for huge, cheap and easily exploitable mineral zones. Their eyes are now turned to countries like India, which has vast potential for mineral exploitation. As a result of the new mineral policy which encourages the entry of multinationals into the mining sector there will be an unprecedented assault on the mineral rich areas of the country by these companies whose only interest is to maximise their profits, whatever the cost.

The entire Jharkhand area, rich in minerals, will now be thrown open for plunder and loot by these vested interests. With the expansion of mining activities, especially with the opening of 50 new coal mines in the area to achieve the targeted production of 417 mt coal by 2000, land degradation, air, water and noise pollution will attain alarming proportions. It is estimated that the rate of degradation of land will intensify to 1,400 hectares a year or more (Rehana and Saxena 1994: 235). This will have serious economic impact upon the villages and their agrarian population. The existing agricultural and forest lands will shrink further with the eventual emergence of more wastelands.

More and more indigenous people will be forced to move out of their hearths and homes to brick kilns, stone quarries, etc. in search of livelihood. Their wealth will be forcibly taken away from them leaving behind heartbreak, destruction and degradation. As things are, there is little hope of better future for the deprived indigenous people of Jharkhand. The gaping holes of abandoned pits scattered all over Jharkhand left after the plundering of its mineral wealth symbolise the ultimate fate of the indigenous people of this region.

References

Anon. 1994a. 'SubsidenceFears in India'. *Mining Journal*. 11 March.

——. 1994b. 'Uranium Eaters, Radio-Active Contamination Ravages 50 Villages in Bihar'. *The Week*. 26 June.

Areeparampil, Mathew. 1989. 'Industries, Mines and Dispossession of Indigenous Peoples: The Case of Chhotanagpur. In *Development, Displacement and Rehabilitation*, eds Walter Fernandes and Enakshi Ganguli Thukral. New Delhi: Indian Social Institute, pp. 13–38.

——. 1993. 'The Impact of Uranium Mining and Processing on the Indigenous People of Singh-bhum District in Chhotanagpur'. In *The Indigenous Question: Search for an Identity*, eds Walter Fernandes. New Delhi: Indian Social Institute, pp. 32–47.

Baliga, B. P. 1993. 'Crisis in the Upper Damodar Valley—Need for Environmentally Sound

Mining Preserving Natural Heritage'. Paper presented during a workshop on Crisis of the Upper Damodar Valley: Cultural and Ecological Implications of Mining. New Delhi: India International Centre. 10 July.

Chari, K. S.R. et al. 1989. *Report of the Expert Committee on Restoration of Abandoned Coal Mines*: A project proposal submitted by CMPDI.

Dhar, B. B. 1990. *Environmental Management of Mining Operations*. New Delhi: Ashish Publishing House.

Dhar, B. B., and N. C. Saxena. 1994. *Socio-Economic Impact of Environment*. New Delhi: Ashish Publishing House.

Government of India. 1985. *Report of the Committee on Rehabilitation of Displaced Tribals due to Development Projects*. New Delhi: Ministry of Home Affairs.

Rehana, Abidi, and N. C. Saxena. 1994. 'Reclamation of Degraded Mining Areas'. In *Socio-Economic Impact of Environment*, eds B. B. Dhar and N. C. Saxena. New Delhi: Ashish Publishing House, pp. 233–47.

Singh, Jagadish. 1985. *Upper Damodar Valley: A Study in Settlement Geography*. New Delhi: Inter-India Publications.

Sainath, P. 1993a. 'Canadian Company Officers Sole Beneficiaries'. *The Times of India*. 23 October.

——. 1993b. The Curious Tale of Met-Chem'. *The Times of India*. 2 November.

Tandon, G. L. 1990. 'Scenario of Environmental Status in Coal Mining in India'. In *Environmental Management of Mining Operations*, ed. B. B. Dhar. New Delhi: Ashish Publishing House, pp. 17–57.

United Nations. 1992. *Human Development Report 1992*. New Delhi: Oxford University Press.

16

Displacement and Rehabilitation of an Adivasi Settlement

*Case of Kuno Wildlife Sanctuary, Madhya Pradesh**

Asmita Kabra

I

Introduction

Wildlife Protected Areas (PAs), comprising of national parks and wildlife sanctuaries, now constitute about 5 per cent of the land area of India, while their core areas cover about 1 per cent of the land mass (Kothari et al., WII, 1989). The designation of wildlife protected areas has been the principal conservation strategy adopted in most parts of the world, including India. Protected areas were meant to create spaces relatively or even wholly free of human presence or biomass extraction, where evolutionary processes could carry on uninterrupted (Rangarajan 2001a). This conservation paradigm has had significant implications for communities that derive their sustenance from designated protected areas, as also for the conservation of the PAs. Firstly, restrictions have been placed on resource use from PAs. Apart from such restrictions, there have also been instances of people being asked to vacate areas that they had traditionally inhabited, and that had been designated subsequently as PAs. Provisional estimates put the number of people living in and around PAs at around 4.5 million (Kothari et al. 1996). According to a survey of national parks and wildlife sanctuaries carried out by the Indian Institute of Public Administration (IIPA) in 1999–2002, 21 of the 30 PA managers (70 per

* *Economic and Political Weekly* 38 (29), 19 July 2003.

The author would like to acknowledge her gratitude to the following for their help, support and valuable insights, which have contributed substantially to this study: Arpan Sharma, Mahesh Rangarajan, Praveen Jha, J. S. Chauhan (DFO, Kuno wildlife sanctuary), the staff of Kuno wildlife sanctuary, and the Samrakshan Trust team. Any mistakes, however, are the author's alone.

cent) responding to a question on displacement stated that people had been relocated from their PA (IIPA 2002).

Thus, on the one hand, PA managers are increasingly taking recourse to displacement as a tool for safeguarding PA from pressures on resources that are generated by forest-dependent communities, and this method is strongly supported by many conservationist and wildlife biologists (Kothari et al.). On the other hand, supporters of movements for social justice and rights of marginal communities, particularly tribals, have been emphasising the destitution that such conservation-induced displacement wreaks on forest-dependent communities, particularly adivasis. They stress on the well-documented fact that the state apparatus in India has been incapable of adequately looking after people who have been uprooted from their original places of residence. This school of thought has also questioned the very rationale of relocating people from PAs and has urged for a more inclusive conservation paradigm that would permit latitude for local communities as well as wild flora and fauna to coexist (Saberwal 1994; Rangarajan 2003).

These two polar schools of thought have frequently been at odds on the issue of displacement and its ecological and social impact. Wildlifers have stressed how displacement has had a beneficial impact on PAs and how it has offered to hitherto isolated communities the opportunity of integrating with mainstream society. Some have even argued that such relocations, if planned and executed efficiently and transparently, can improve rural livelihoods while simultaneously helping habitat recovery. The anti-displacement viewpoint, on the other hand, has stressed that the urge to 'integrate' rural communities, particularly adivasis, with the so-called mainstream is a patently urban and paternalistic phenomenon that exhibits ignorance about the lifestyles of such communities. These lifestyles are intricately linked to their surrounding landscapes and have over time developed a fine balance with nature. Any disruption of this equilibrium, they argue, irreparably damages not only the livelihood of these communities, but also natural systems of the area. Further, the track record of official attempts at recreating livelihoods for displaced people is so poor that this alone is cited as reason enough to abandon any further plans for relocating people (Kothari et al. 1996).

Subsequently, attempts have been made to reconcile the two approaches. For instance, the Indian Board of Wildlife tried to reach for a middle ground by accepting there would be no forced displacement from PAs in India (Rangarajan 2001: 111). However, a major lacuna in this discourse is that there is still a lack of site-specific independent studies of the social impact and consequence of relocation. These are essential not only to provide sound empirical foundations for the debate but also to help test views against the evidence. Moreover, even the ongoing debate about the impact of involuntary displacement has tended to focus on displacement generated by industrial and infrastructure projects, and very little material is available on conservation-induced displacement.

The present study is a step towards addressing this lacuna, and to take forward the debate on the complex inter-linkages between conservation, development and displacement. In this study, we examine the social costs and benefits arising from the

relocation of Sahariya tribals from the Kuno wildlife sanctuary in northern Madhya Pradesh. The study touches upon the relief and rehabilitation (R and R) package offered to the displaced community, the processes adopted by the forest department (specifically the Kuno sanctuary management), and the lessons and best practices emerging from the implementation of this package. An attempt is also made to shed light on reasons for deviation from the original plan and/or best practices. We then attempt to evaluate the impact of this R and R programme on the livelihood of the displaced community, and also briefly touch upon the other social and political impacts of the displacement. It must be pointed out right at the outset that our work does not focus on the biological impact of the displacement on the protected area itself, which, despite its importance, lies beyond the scope of the present study.

Background of Displacement

The ministry of environment and forests (MoEF), upon the recommendation of the Wildlife Institute of India (WII 1995) took up an ambitious project to translocate a pride of Asiatic lion from the Gir national park in Gujarat to the Kuno wildlife sanctuary in MP. Through this project, it was hoped to establish a second free ranging population of Asiatic lion, which would serve as insurance against various extinction threats that face the Gir lions. Kuno was part of the area chosen for the first ever lion introduction in India, in the early twentieth century by the then Maharajah of Gwalior. The experiment failed as the lions and their offspring attacked cattle as well as people. In the 1950s, predation on cattle by lions was possibly the major reason for poisoning incidents in Chandraprabha wildlife sanctuary, Uttar Pradesh, where lions were translocated from the Gir forest (Rangarajan 2001b). The MP forest department is executing the present project with financial assistance from the MoEF at the centre. According to the Wildlife Institute of India, the proper resettlement and rehabilitation of the people living inside the Kuno sanctuary was a precondition for introduction of lions into the sanctuary. This was considered vital for minimising the probability of conflicts (in the form of cattle depredation and attacks on human beings) between a large predatory carnivore like the lion and the local people. Predation on domestic cattle has been a persistent feature of large carnivore-human interaction in many parts of India (Madhusudan and Mishra 2003), and the recommendations of the WII were aimed at avoiding or minimising a repeat of failures of lion relocation in the past.

Kuno: The Region

The Kuno wildlife sanctuary is located in Sheopur district in north-west Madhya Pradesh. Madhya Pradesh has a sizeable ST population, constituting 23 per cent of the total population of the state. The concentration of the tribals is mainly in the undulating hilly districts in the southern part of the state.

The newly constituted district of Sheopur was created in the year 1998 through the bifurcation of the district of Morena. The district is 43rd in the state in terms of

population. The recent census data states that the district has a total population of 5,59,715, which works out to 0.93 per cent to the total population of the state.

The Lion Reintroduction Project being implemented in Kuno wildlife sanctuary has resulted in relocation of 24 villages to the outskirts of the sanctuary. Over 5,000 people resided in these 24 villages inside the sanctuary prior to the initiation of this project. A majority of these inhabitants comprised of Sahariya tribals, a primitive tribal group that has historically been almost completely dependent upon forests for survival. In addition to the Sahariya, the affected villages were also home to other caste groups, including Jatav (SC), Brahmin, Gujjar, Kushwaha, Yadav, etc.

The Sahariya tribals, who have been the prime focus of Samrakshan's interventions in this region, have historically inhabited the belt along the Rajasthan-Madhya Pradesh border, especially the districts of Gwalior, Shivpuri, Morena (including Sheopur) and Bhind. Traditionally dependent on food-gathering and hunting for meeting their livelihood needs, the Sahariyas have begun, for the past generation or two, to undertake marginal agriculture to meet a part of their livelihood needs, particularly for items that cannot be directly obtained from the forest. Their agricultural practices have predominantly been primitive and rain-fed, and precarious as far as livelihood security is concerned (Debnath and Yadav nd).

R AND R PACKAGE OFFERED

Rehabilitation was carried out in accordance with the provisions of a scheme of the Ministry of Environment and Forests (MoEF) called the Beneficiary Oriented Scheme for Tribal Development (BoTD). As part of this package, every male above the age of 18 years is considered a separate family and is entitled to services worth Rs 1 lakh, as described in Tables 16.1 and 16.2.

TABLE 16.1: Break-Up of Expenditure under Land Development Head

Items of Works	Expenditure (in Rs)
Clearance, deep-ploughing and bunding of the crop-land	20,000
Farm-yard manuring	5,000
Sinking of dug-wells (one among five families)	10,000
Other miscellaneous works in this head.	1,000
Total	Rs 36,000

The package adopted for Kuno is a significant improvement over many other relocation packages adopted so far in various R and R projects across the country. It does not suffer from the obvious lacunae of 'land for land' type compensation packages, which have had a history of marginalising the most vulnerable strata of

TABLE 16.2: The BoTD Package Offered

Heads	Specified Norms (Rs per Family)	To be Spent by
Land development (for 2 hectares per family)	36,000	Forest dept
House construction (on 5,000 sq feet per house)	36,000	Beneficiary
Community facilities	9,000	Forest dept
Fuel and fodder plantation	8,000	Forest dept
Pasture development	8,000	Forest dept
Transport of household goods	1,000	Beneficiary
Cash incentive for shifting	1,000	Beneficiary
Miscellaneous expenses	1,000	Forest dept
Total	Rs 1,00,000	

rural society, particularly the landless.[1] Moreover, in the implementation of this package, the Kuno sanctuary management has also managed to address some grey areas that the BoTD guidelines are not very clear about, for instance, treatment of female heads of the family. It has been found that at the ground level, many of these problems have been and are in the process of being addressed through suitable modifications, and inclusions in the list of displaced families to include eligible families.

The BoTD package fixes the compensation for each affected family at Rs 1 lakh. This is an arbitrary figure, and when it is applied at the ground level under varying circumstances, this amount may or may not be sufficient for re-establishing access of each family to various livelihood resources lost due to relocation. In the present case, for instance, the total amount earmarked for 'land development' is Rs 36,000, which is meant to pay for various activities like clearing and deep-ploughing of land, removal of stones and boulders, bunding of plots, as well as provision of irrigation facilities. However, given the prevailing cost of these activities in this region, the earmarked amount leaves little or no surplus for the provision of irrigation facilities. This leaves the government in a situation where it has promised irrigation facilities to the displaced community as part of the relocation package, but is unable to finance it from the budget allocated to it for relocation.

As a stop-gap measure, the Kuno sanctuary management has tapped other funds from the central government schemes of the ministry of environment and forests for provision of irrigation in the form of wells and lift irrigation schemes. However, a more permanent solution to such problems needs to be found, which could involve modification in R and R policy/package, as well as efforts to dovetail regular development schemes of the state to meet some unfulfilled rehabilitation needs. In the case of the rehabilitation exercise in Kuno, the latter part, that is,

coordination between the developmental efforts of multiple state agencies to ensure service delivery without duplication has been most challenging and difficult.

II

IMPACT OF SCHEMES

This section focuses on the social impact of relocation and displacement and not the biological effects, which are significant but outside the scope of this article. Our work has focused primarily on looking at the impact of relocation on the livelihood of the affected community. Due to limitations of time and resources, we have only peripherally addressed other areas of impact, particularly those related to social and political aspects, which remain areas for future investigations.

IMPACT ON LIVELIHOOD[2]

Livelihood impacts have been assessed in terms of: (i) Land possession, quality and encroachment; (ii) agriculture; (iii) NTFP; (iv) hunting; (v) livestock; and wage labour

Land: Inside the sanctuary, the villagers possessed title deeds or *patta* for a part of the land that they were cultivating. Thus, these villages came under the purview of the revenue department by virtue of owning patta land. However, they also habitually cultivated non-patta land that was cleared and brought under the plough (IIFM undated). The degree of such encroachment depended upon need, as well as availability of manpower with a household. The agricultural land available to villagers inside the sanctuary was of a very high grade in terms of soil depth, fertility and moisture content. Drainage inside the sanctuary was excellent, as is also shown in GIS studies of the area commissioned by the forest department (MPCST 1999).

Most of the villages that have shifted out have already been allotted land, and in most cases, they have also started cultivating this land. An immediate consequence of relocation has been the emergence of complete equality of landholdings, due to the very nature of the rehabilitation package (which provides for two hectares of land per family). Thus, the situation can be compared with a sweeping land reforms exercise, where landlessness, as well as inequality in size of landholdings has largely ceased to exist.

There is no homogeneity in quality of land allotted, and even within the same village, often different grades or quality of land can be found, depending on factors like slope, soil and rock formation, degree of degradation and soil erosion, proximity to sources of water, and so on. This has been documented extensively by the local voluntary agency, and also by the committee appointed by the collector to look into problems of poor quality land. The quality of land allotted to the displaced families is by and large low, especially when compared to the land in their original villages. Although agricultural experts have certified most of this land as potentially cultivable, in general the soil depth and soil moisture conditions are much poorer

than what was available inside the sanctuary. While there are instances of allotment of alternative land in lieu of poor agricultural plots, the forest department finds this an uphill task, since the number of such cases is quite large and there is very little extra land available.

Land Changing

The process of changing rocky plots has been controversial right from the start. There have been instances of four or five plots having been changed in a village, but other villagers were left out of the process because things were proceeding on a case-by-case basis, and many people either did not come forward or their claim did not get due attention (Samrakshan Trust 1999). Effectively, despite assurances, very little was actually done on this front till the end of August 2001. Matters came to a head by early September 2001, when five of the worst affected villages served notice to the sanctuary management of their intention to return to their old villages inside the sanctuary for collecting non-timber forest produce to ease their economic distress. The important thing to note here is that the desperation to go back to the sanctuary was found to be the greatest in villages where problems relating to land quality are more severe.

To redress these complaints, in September 2001, the district collector instituted a committee consisting of officials from three departments (forest, revenue and agriculture) as well as village representatives to look into complaints of poor land quality arising from the displaced villages. The committee surveyed all the villages and conducted detailed visits to each agricultural plot for which complaints had been received. In its report, the committee officially identified over 300 families that have been suffering from very poor to zero agricultural output for the past two to three years due to allotment of poor quality land. Meanwhile, the sanctuary management began clearing fresh land to re-allot to those individuals recommended by the committee. However, due to various administrative delays, the actual process of land changing could not take place before the onset of rains in 2002. As a consequence, the affected families lost another rainy season without appropriate land for their livelihood, and this may result in irreparable indebtedness or even permanent distress migration away from the relocation site.

Agriculture

The main source of livelihood inside the sanctuary was agriculture. Most farmers depended on rainfall, but a few that had fields along rivers or streams also used diesel pumps to meet irrigation needs. The main crops grown were bajra and tilli (kharif), and mustard, black gram, wheat, corn and some pulses (rabi). While a part of the food crop output was used for self-consumption, the rest, as well as the cash crop output was either exchanged for cash or bartered for other commodities. Crops were usually sold to the village middleman (who also doubled up as the shopkeeper and

moneylender). However, some villagers also sold their surplus at village Agraa or the mandi at Vijeypur town (both of which lie outside the sanctuary).

A majority of people inside the sanctuary, particularly the tribals, followed primitive agricultural practices that were not necessarily geared towards maximising agricultural yield and surplus. This can be understood in the context that the sahariya are traditionally not an agricultural community. It is only over the past 40–50 years that they have begun to take to agriculture (Debnath and Yadav: 45), mainly as a consequence of their increasing exposure to the money economy outside the sanctuary.

After relocation, the crop-mix has not changed much in the displaced villages, as emerges from PRA studies as well as surveys. Our studies indicate, however, that the yield of most crops has gone down significantly after relocation. For instance, in a survey of 14 displaced villages in November–December 2002, it was found that only 19 out of 715 families (2.6 per cent) have been able to produce more than 40 kg of crop output on their plots of two hectares each. Two factors likely to have contributed to this are lack of soil moisture and irrigation facilities, as well as poor quality of land. This is largely because the land allotted to the displaced families was under scrub forest, or was degraded forestland.

Hunting: Anecdotal accounts reveal that in earlier years, hunting and gathering was a major source of nutrition and sustenance. The evidence generated through PRA exercises also corroborates this. Though there is no definitive information available on poaching by the sanctuary-dwellers, either for self-use or for sale outside, anecdotal information on the Sahariyas reveals their affinity for a meat diet. It has been reported that prior to declaration of the sanctuary in 1981, both the local tribals as well as game hunters from outside used to regularly hunt animals. However, after the area was notified as a sanctuary, punitive action was taken against a number of sanctuary-dwellers for hunting wild animals, and it is reported that since then, gradually, poaching by at least the locals has diminished. However, one could till recently still find snares and traps meant for wild animals if one left the main road and ventured into the forest. Interactions with the Sahariyas also reveal that trapping and hunting of small game was prevalent on a fairly large scale even till the time of relocation of villages.

NTFP collection: A vast variety of non-timber forest products (NTFP) like honey, tendu (leaves), sal gum, honey, 'safed musli', 'ber' (zizyphus), 'bilaiya', 'hadjudi' and so on were harvested extensively. This activity was engaged in mainly by tribals, who used the NTFP both for self-consumption as well as to supplement their income. The Sahariyas are known to have exhaustive knowledge about medicinal plants. However, since none of this knowledge is documented, a lot of it is being lost due to rapid depletion of forests throughout the range of the Sahariyas. The Kuno wildlife sanctuary and its surrounding areas are probably the only healthy forests that the Sahariyas of this region have access to. It is interesting to note that almost all of this forest area is under some sort of legal protection, ranging from reserve forests to protected forests to a wildlife sanctuary. Along with NTFP, the other significant

dependence of the people (both tribals as well as non-tribals) on forest resources was for firewood and fodder.

A major change that has occurred after relocation of villages is the highly reduced access of the community to the forest. As a result, many of NTFP collection activities have now disappeared from the activity chart of the community, and this has resulted in significant loss of livelihood.

In addition to agriculture, people also kept livestock in order to meet their needs of milk, ghee, etc. Milk yield was restricted to the monsoon months, when fodder was abundant. Cattle were left to graze freely in the forest, and this meant that there were no limitations as such on the number of livestock that people kept. However, as far as the tribals were concerned, the produce throughout the year was sufficient only for meeting their own consumption needs. Thus, sale of milk and allied products was not an additional source of income in the tribal economy. Here again the difference between the resource use practices and lifestyles of the tribals and the non-tribals is stark. Some non-tribal families reared livestock as an additional source of income and regularly sold dairy products in Vijeypur and Karahal (Personal communication, Debnath and Yadav nd). For this segment of the displaced population, loss of access to the sanctuary is likely to represent a greater loss of livelihood.

Our PRA studies and surveys reveal that after relocation, most families have had to leave their cattle inside the sanctuary, because of lack of immediate sources of fodder at the relocation site. At best, some families have been able to get their bullocks with them to the new settlements, and in some cases, even this has not been possible. Moreover, most families have had to shift from cows to goats as their source of milk. This has had an additionally damaging impact on the surrounding natural resource base of the relocation site, due to greater damage caused by goats to small trees, shrubs, and so on.

Wage Labour

A regular pattern of seasonal migration has emerged from our studies as far as tribal families are concerned. After harvesting the monsoon crop, many tribal families migrated regularly to neighbouring areas like Sheopur and Karahal as casual/agricultural wage labourers for the rabi harvest. This system is known in local parlance as *chait* (in reference to the months of March–April in the Hindi calendar). A well-established system of sharing of agricultural produce existed between the chait cultivator/landowner and the tribal labourers. Contracts were taken for harvesting a fixed area of land, irrespective of the number of person days of labour involved. In return, the landowner gave the labourer a fixed amount of wheat (the main rabi crop) as wage (the current rate is around 40 kg of wheat per bigha of land harvested), irrespective of the total amount harvested. Again, the degree of dependence of a family on income from such migratory labour depended mainly upon whether they were engaged in taking a second crop on their land inside the sanctuary. This, in turn, was mainly a function of availability of irrigation/soil moisture in their fields inside the sanctuary, degree of indebtedness, and so on.

Wage labour generated locally the forest department was another important source of employment frequently availed of by the villagers when living inside the sanctuary.

After relocation, seasonal migration for agricultural labour has continued to be important, but the motives and the pattern have shown some changes. For instance, two villages, Laddar and Chapraith migrated for a much longer duration than the chait period during 2000–01, because of poor quality of agricultural land allotted to them. Other factors operating in this case were poor availability of water for drinking as well as irrigation purposes in these villages, as well as non-availability of NTFP as an additional source of income. As far as employment generated in the sanctuary by the forest department is concerned, there has been an obvious decline in this now, because of the much greater physical distance between the habitation of these villages and the Kuno sanctuary.

An important point to note here is that the relocated villages have access to some ready cash from activities like digging wells, instalments for house construction and so on, they tend not to migrate. This implies that once the forest department utilises the rehabilitation funds, the possibility of tiding over the lean season without migration would recede, and the problem is likely to re-emerge with severity.

Broad Social Impacts

Social impacts have been assessed very sketchily in terms of access of the displaced community to social infrastructure such as law and order, communications, education, health, electricity and so on, prior to and post relocation.

The Kuno sanctuary is a part of the infamous Chambal region and dacoity was a major problem faced by the people inside the sanctuary. There were frequent instances of violence against the villagers in the event of their failure to meet the demands of the dacoits. After relocation, the more compact nature of settlements and proximity to other villages like Agraa has resulted in some improvement in the law and order situation. However, a clear regression can be observed during periods of economic distress, when there are increased instances of looting and intimidation by dacoits. Moving away from the isolation of the sanctuary and in proximity of the Agraa police station has also reduced the threat perception of the community.

Modern healthcare facilities were virtually non-existent in the villages inside the sanctuary (Debnath and Yadav undated). This was a specifically articulated concern of the people prior to relocation. This problem became particularly severe in view of the near absence of transport facilities connecting the sanctuary villages to the nearest medical centre, especially during rains. This situation was further aggravated because of the unreliability of local health traditions. Although a few elderly local healers do possess knowledge about the curative powers of some herbs, mortality on account of relatively innocuous ailments was visibly high.

On this front, relocation has made a distinctly positive impact on the community's access to the formal healthcare system. However, it needs to be stressed that even now, accessibility of medical facilities is difficult for the villages that have been settled at a distance from Agraa. Moreover, the quality of medicines made

available through the PHC at Agraa is abysmally low, as a result of which the efficacy of the medical officer is severely constrained.

Transport and communications facilities inside the sanctuary were very poor, and people had to depend on a dirt track to access the 'outside world'. Inhabitants had to walk at least 20 km to catch buses in the open season, while during rains this distance increased to over 35 km on an average. The impact of this was felt on all spheres of life inside the sanctuary, and particularly on education, health and the economy.

In this sphere too, there has been a marked improvement after relocation. However, a major problem in connecting the area to the nearest tehsil town of Vijeypur is that there is only a fair-weather road from Agraa to village Arrod, which is 9 km from Agraa en route to Vijeypur. During monsoons, bus services on this stretch come to a standstill, thus reducing the region's connectivity by a significant extent.

None of the villages inside the sanctuary were electrified, and people depended on kerosene lamps and wood for illumination and heating. However, as part of the relocation package, electrification of villages has been progressing at a slow but steady pace.

Inside the sanctuary, only two villages had school infrastructure. Even where physical infrastructure of schools was available, access of children to education was hampered by the absence of regular teaching staff in the schools, attributable to the isolation of these villages. After relocation, these villages have come closer to the formal education system, and there has been a gradual improvement in access of the community to schools. Village Agraa, which lies at the nucleus of the relocation site, has education facilities up to the high school level. Moreover, some primary schools are also under construction in the relocated villages. Additional education facilities are also being made available by the locally active voluntary organisation.

Conclusion

The most significant question that the present study tries to address relates to the impact of relocation on the living standards and livelihoods of the affected community. Our experience suggests that in the short run, there has been a very significant decline in livelihood security, directly attributable to displacement from a resource-rich forest, and disruption of a well-established livelihood pattern. While the rehabilitation package offered in this case, as well as the overall attitude of the agency that carried out the relocation seems to have been a significant improvement over previous recorded instances of such exercises, it emerges that displacement has nevertheless had a significant negative impact on the livelihood of the people, at least in the short run. Serious efforts would need to be undertaken by all relevant state agencies to address this issue urgently. It would require sustained investments by government and non-government agencies, in the medium to long run, for the displaced community to be able to reconstruct livelihoods and regain levels that prevailed inside the sanctuary (and perhaps even improve upon them). Another important lesson emerging from the Kuno experience is that trauma to the

community could be mitigated if the implementing agency concentrates right from the start on genuine mobilisation of the community, and investment in building its capacity to deal with the drastic changes that displacement entails. Participation and continuous dialogue with the community would be critical to this process.

Linked to this is the issue of low capacity within the implementing agency for handling a R and R programme. Rehabilitation in the present case has generated significant lessons for the implementing agency, which have been accumulated through trial and error, causing numerous avoidable hardships to the displaced community. Thus, the need to suitably equip and train the concerned personnel prior to initiating projects of this nature emerges as a most salient lesson from this experience. Another finding of our work is that selection of a competent officer to lead the entire exercise, and ensuring autonomy, continuity and back-up support to the officer goes a long way towards success in carrying out a complex task like rehabilitation.

Clearly, unless the issues outlined above are addressed, the 'voluntary' displacement based conservation paradigm will succeed in relocation but not really rehabilitation of forest-dependent communities. Such displacement will, often for reasons that are eminently avoidable, fail to enable the relocated persons to have a materially better life than they did before. Forest-dependent communities whose livelihoods are dependent on rainfall-reliant agriculture, animal husbandry, wage labour and NTFP collection are especially vulnerable, given the fact that traditionally, they have anyway tended to be marginalised from the mainstream economy and polity. Ensuring sustainability of livelihoods of these communities after relocation is crucial not just from a humanitarian perspective, but is also intricately linked in the long term to success of wildlife conservation in India.

Notes

1. For an assessment of other R and R packages and their implementation in India, see Dreze, Sampson and Singh eds, *The Dam and the Nation: Displacement and Resettlement in the Narmada Valley*. New Delhi: Oxford University Press, 1997.

2. This section is based on the findings of the team from Samrakshan Trust that has worked in the villages displaced from Kuno wildlife sanctuary since 1999. An account of these findings is available in Samrakshan Trust, 1999. The Kuno Project: Progress Report I—December 1997–September 1999, New Delhi: Samrakshan Trust, as well as subsequent Progress Reports released by the Trust.

References

Debnath, Tarun Kumar, and Puran Singh Yadav. nd. 'Participatory Eco-development in Relation with Sahariyas—a PTG in MP'. Bhopal: Indian Institute of Forest Management.

Dreze, J., M. Sampson, and S. Singh, eds. 1997. *The Dam and the Nation: Displacement and Resettlement in the Narmada Valley*. New Delhi: Oxford University Press.

IIPA. 2002. *A Study on the Management of National Parks and Sanctuaries in India*, 6 Vols. New Delhi: Indian Institute of Public Administration.

Karanth, K. U., M. Sunquist, and K. M. Chinnappa. 1999. 'Long-Term Monitoring of Tigers: Lessons from Nagarhole'. In *Riding the Tiger: Tiger Conservation in Human Dominated Landscapes*, eds J. Seidensticker, Peter Jackson and Sarah Christie. Cambridge, UK: Cambridge University Press.

Kothari, A., P. Pande, S. Singh, and D. Variava, eds. 1989. 'Management of National Parks and Sanctuaries in India—A Status Report'. New Delhi: Indian Institute of Public Administration (hereafter IIPA, 1989).

Kothari, A., N. Singh, and S. Suri, eds. 1996. *People and Protected Areas—Towards Participatory Conservation in India*. New Delhi: Sage.

MPCST. 1999. *Wildlife Habitat Mapping and Management of Palpur-Kuno Area Using Remote Sensing Techniques and GIS*. Bhopal: Madhya Pradesh Council of Science and Technology.

Rangarajan, M. 2001a. *India's Wildlife History: An Introduction*. Delhi: Permanent Black in association with Ranthambore Foundation.

———. 2001b. 'From Princely Symbol to Conservation Icon, A Political History of the Lion in India'. In *Unfinished Agenda, Nation Building in South Asia*, eds M. Hasan and N. Nakazato. Delhi: Manohar.

Rodgers W. A., and H. Panwar. 1989. *Planning a Wildlife Protected Area Network in India*. Dehradun: Wildlife Institute of India.

Saberwal, V, Ravi Chellam, and A. J. T. Johnsingh. 1994. 'Lion-Human Conflicts in the Gir Forest, India'. *Conservation Biology*, Vol. 8.

Saberwal, V., and M. Rangarajan, eds. 2003. *Battles over Nature—Science and the Politics of Conservation*. New Delhi: Permanent Black.

Wildlife Institute of India. 1995. 'Survey of the Potential Sites for Reintroduction of Asiatic Lions'. Dehradun: Final Report.

17

Sardar Sarovar Oustees

*Coping with Displacement**

Renu Modi

On completion, the mega Sardar Sarovar Project (SSP),[1] considered the 'life line of Gujarat' will submerge 297 villages[2] in the three riparian states of Gujarat, Maharashtra and Madhya Pradesh. Officially, the reservoir alone will uproot the lives of about 40,000 families (Sangvai 2000), mainly the adivasi or tribal peoples, collectively known as the Bhils. Thousands more, mainly tribals, are being/will be irreversibly affected by secondary relocation, that is, dam-related displacement other than the construction of the reservoir itself, such as the construction of a canal network, compensatory afforestation schemes, catchment area treatment works and the construction of the Shoolpaneshwar sanctuary.

Unfortunately, the tribal peoples and other marginalised ethnic communities make up a disproportionately large percentage of those displaced by developmental activities. In the case of the SSP, 40–50 per cent of those displaced are tribals though they constitute a mere 8 per cent of the country's population (TISS 1997). Their livelihood strategy has been based on a combination of hunting, gathering, shifting and settled cultivation. The hilly terrain of their habitat provided the villages of the region with ample access to the resources of the forests and rivers. Today, they are in search of a livelihood following the disruption of their socio-economic fabric.

Those displaced do not constitute a monolithic category in terms of livelihood strategies or socio/economic locations and have borne the brunt of dislocation in varied ways. This article is a general assessment of the impact of dislocation on the livelihoods of the bulk of those displaced, mainly the Bhils. It compares the survival strategies of the oustees in their original habitats and in the resettlement after dislocation. The two phases are mediated by the government's resettlement policies that aim to restore their livelihoods such that it will enable them to 'improve or at least regain the standard of living they were enjoying prior to displacement'.

---

* *Economic and Political Weekly* 39 (11), 13 March 2004.

Livelihood Prior to Displacement

The oustees can be divided into two groups, namely, those who lived on the plains, and the adivasis who have resided for generations in the hilly terrain of the Vindhya and Satpura ranges. Their livelihood strategies derive from the quality, size and location (in the fertile command area or mountain terrain) of cultivable land.

Oustees from the Plains of the Nimad (MP): The submergence zone of Madhya Pradesh comprises a mixed population, of agriculturists from the fertile plains of Nimad (about 50 per cent of those dislocated), and an equal percentage of tribals in the hilly terrain. By and large, caste Hindus owned the bigger farms, while the tribals and other marginalised castes worked as agricultural labourers or owned small plots of about 2–5 hectares. They cultivated up to three crops a year and grew chillies, papaya, bananas, tomatoes, cereals and sugarcane. Owners of bigger landholdings of 20–30 hectares (ha) were prosperous. They grew cotton and sugarcane for sale, in addition to a variety of cereals and vegetables. The landless, too, could secure a livelihood by cultivation on small plots on the river drawdown or on encroached plots. They also grazed cattle on government lands though it was illegal. Some of the landless villagers depended exclusively on fishing while others supplemented their income through harvesting fish.

Oustees from the Mountain Terrains of MP, Gujarat and Maharashtra: The tribal villages of Alirajpur in Madhya Pradesh, Gujarat and Maharashtra are located in the Vindhya and Satpura mountain ranges. In Gujarat and Maharashtra, 90 per cent and 95 per cent of those dislocated are the Bhils (Independent Review Report 1992: 62). Their survival and livelihood strategies were based on resources from the land, forests and the Narmada. They grew:

- Staple crops such as jowar (sorghum), bajra, maize and cereals such as 'bunti' and 'bhadi';
- A variety of pulses, such as udid, arhar, chawli, moong and tur, intercropped with other grains to restore the nitrogen content of the soil;
- Beans, bhindi, chilli, brinjal, 'ambadi', drumsticks, among other vegetables;
- Groundnut, sesame, castor that provided oil for domestic use and for sale/ exchange in the market.

The availability of abundant grazing grounds, fodder and free-flowing water made possible the upkeep of animal wealth. These included:

- Draught animals like bullocks for carrying and cultivation;
- Cows that provided milk for consumption and for making ghee for sale;
- Goats as a source of nutrition and an insurance (considered a 'savings account') to be sold in times of crop failure.

For instance, an extended family of five brothers in Panchmuli (Gujarat) owned 200 buffaloes, 200 goats, 90 cows and calves between them. They could also sell about 15 kg of ghee per week at about Rs 60 per kg. But on the resettlement site at Gadkoi (Gujarat), due to lack of grazing lands and free-flowing water, the size

of animal wealth dwindled to seven-eight buffaloes, about 25 goats, 22 cows and calves, which resulted in the loss of revenue from the sale of ghee (ibid: 99).

The forests considered as the common property resources of the tribal villages yielded.

- Wood for house construction, kitchen utensils like ladles, agricultural implements, drums for religious ceremonies, canoes and boats;
- Bamboo for weaving mats, making flutes, bows and arrows, roof meshing, brooms and fishing traps;
- An abundance of mahua flowers that could be fermented to make alcohol and its fruits pressed for oil;
- Minor forest produce such as gum from the 'halai' trees, temru leaves for rolling tobacco and other such products which could be traded in the market for buying jewellery, clothes, iron implements, etc. (Baviskar 1995);
- Varieties of medicinal herbs to cure ailments such as cuts, burns, snake bites, asthma and diarrhoea.

A variety of fish caught from the Narmada has been an important source of protein for the tribals. Around 10,000 fisher families downstream of the dam, near the Narmada estuary in Bharuch, made a living by harvesting about 13,000 tonnes of Hilsa fish and freshwater prawns. The damming of the river has deprived the traditional fishing communities of their source of livelihood and forced them to search for land- and wage-based income-generation activities with which they are unfamiliar.

Through access to riverine resources, forests products and a customary right to land, there was no landlessness, hunger or food scarcity in their subsistence but a self-sufficient economy. Women could supplement their incomes through the sale of livestock, ghee, baskets, bamboo mats, ropes and pottery. Women had greater economic independence and land rights in the egalitarian tribal set-up. Dislocation has torn the people away from their source of sustenance or life itself. The following section seeks to assess the impact of the resettlement and rehabilitation policies on the livelihood of the oustees in general, and women in particular.

Resettlement and Rehabilitation Policy

India does not have a national policy on resettlement and rehabilitation (R and R). It is based on ad hoc plans, and compensation for involuntary resettlement due to developmental projects hinges on the archaic Land Acquisition Act of 1894 of the colonial times, that defined project-affected persons (PAPs) restrictively and paid a cash compensation, arbitrarily arrived at for 'acquisition of private property for public purposes'.

Neither did the concerned state governments enact legislation on the issue of resettlement. Till date there is no single document in Gujarat that deals comprehensively with R and R of those displaced due to the SSP. However, a breakthrough was achieved with the declaration of the Narmada Waters Dispute

Tribunal Award (NWDTA)[3] in December 1979 that was binding on the three riparian states. The relevant provisions include:

- 'Land for land' compensation, acknowledged for the first time for those displaced by development projects;
- Monetary compensation as well for rehabilitation and provision of civic amenities;
- A broader definition of 'oustee' to include not only the owners of the land in question, but also those 'carrying on any trade, occupation or calling or working for gain in the area likely to be submerged temporarily or permanently';
- An allotment of a minimum of 2 ha of irrigable land for every family so that they too share the prosperity of the command area;
- A definition of a family to include 'the husband, wife, minor children and dependents such as a widowed mother';
- The treatment of every major son as a separate family;
- Resettlement of the family/villages as a unit/community with all the essential amenities;
- Land allotments at least a year prior to submergence;
- The choice of resettlement for oustees from Madhya Pradesh and Maharashtra in Gujarat, the major beneficiary of the SSP projects.

The provision of 'land for land' was an innovative and positive step towards the restoration of livelihood given the fact that a majority of the displaced are from rural areas and are agriculturists. But the NWDTA overlooked the need for resettlement of those submerged by secondary relocations.

Neither did it provide for compensation or land allotment for women-headed households, unmarried daughters, deserted or divorced women and widows. Its patriarchal definition of a family saw women as a part of the family and separate provisions were not made for land ownership. Widows were the worst affected as those displaced prior to the announcement of the NWDTA were not compensated even though they had the 'khata' (legal entitlement) to land. In the villages of Gadher, Katkhadi, Mohkhadi, Surpan, and Vadgam in Gujarat, there were cases where widows were not taken care of by their sons. Without land or alternative sources of income generation, they were the most vulnerable section of development dislocates (Bhatia 1997). Since compensation is centred on land, the definition of who is 'affected' is crucial.

In 1985, the government of Gujarat endorsed the World Bank policy on the restitution of livelihoods. Like the NWDTA, the World Bank, too, considered land-based settlement as the key to the restoration of the livelihood of those displaced. Release of funds for the project was made conditional on the adherence to the terms outlined below. The main thrust of the Bank's policy (Independent Review Report 1992: 85–87) was:

- To improve or at least regain the standard of living enjoyed prior to displacement;

- A broader definition of the term 'oustee' to include both the landed and landless, that is, those who cultivated or were engaged in gainful employment;
- To relocate villages and families as a unit according of their preferences;
- Participation of the oustees in the R and R process;
- The allocation of 'no less than' 2 ha of irrigable land. In 1987–88, this provision was extended to include major sons of those with land, the landless, and the encroacher oustee families to enable them to secure a 'stable means of livelihood'.

The World Bank too did not include any special provisions for land allotment to women. A series of Gujarat government resolutions enacted between 1979 and 1987, and have formed the basis for the R and R for the SSP oustees. It must be stated that in India the allocation to R and R is a mere 3.1 per cent of the World Bank loan.

As a total project cost, the percentage of R and R is even smaller since the Bank covers only a part of the costs (Cernea 1988). However, the provisions were laudable and considered the best R and R scheme in India or any developing country. But there were flagrant violations at the implementation level.

NEGATIVE CONSEQUENCES

For a longitudinal assessment of the impact on the livelihood of the displaced, this article draws on three Independent Reviews on R and R of the SSP. They include the Morse-Berger independent review instituted by the World Bank (1992), the Daud Commission Report (2001),[4] set up by the government of Maharashtra to assess the status of those affected in the state, and the Habitat International Coalition (2002), an independent NGO, for an assessment in Gujarat and Madhya Pradesh. The three reviews unanimously highlighted the negative consequences of displacement on the livelihood of the oustees. Some of the observations which form the basis of this conclusion are:

- A distinction was made between the 'revenue villages' and 'forest villages'. The residents of the former are considered PAPs, and those without a formal 'khata' are categorised as 'landless' or encroachers, and, therefore, not liable to compensation. Many villages have not been included as revenue land because of incomplete land surveys, the unwillingness of government officials to travel to remote/inaccessible areas to update land records and because government land records are in a disarray;
- Due to shortage/non-availability of suitable and adequate cultivable land, the PAPs were shown good cultivable land but allotted poor quality rocky barren land;
- Allotted land was of poor quality, waterlogged or saline;
- Allotted land was encumbered or mortgaged by previous landowners before resale to the government. Therefore, PAPs were asked to clear off the debts to the bank before they could apply for loans for seeds, fertiliser or other input;

- As a consequence of severe land shortage, the same patch of land was allotted to two or more families, leading to conflictual situations;
- Ex parte allotments were made to write off the backlog of PAPs on paper. Oustees continued to stay back in the villages due for submergence while government records showed them as resettled;
- Families/villages were scattered over various resettlement sites due to a shortage of land, breaking up families and community networks they drew upon for exchange of food, tools and services such as exchange of labour;
- Despite acknowledging the evils of cash compensation, the Gujarat government offered cash compensation packages to the oustees at a rate of Rs 90–250 per acre! However, the tribals have not accepted this deal (Independent Review Report 1992: 91). The government of Madhya Pradesh, too, is keen on cash compensation in one single instalment;
- Non-consultation of PAPs on the R and R process and the expedition of the evacuation process through the use of force;
- Allotment for major sons/daughters (a provision included by the Daud Commission) has not been implemented due to an arbitrary assessment of age. Child births in tribal communities do not take place in municipal hospitals where birth dates are recorded and certificates made available;
- Withdrawal/limited access to common grazing grounds/forests and a lack of free-flowing water led to a decline in revenue generating animal wealth;
- Hostile relations with host communities due to competition over scarce resources and caste proscriptions making resettlement difficult.

Livelihood reconstituted on land as productive systems can provide for satisfactory resettlement. The Morse-Berger Review reported optimism in the sites where oustees were given irrigable land for instance, at Untkoi, Vadala and Bakha, Kukad, Karanet in Gujarat. They were able to grow cotton for sale in addition to rice, millet, maize and chickpeas for domestic consumption. Though they missed the yields from the forests and their livestock, they were hopeful that once government promises were honoured, living in their new locale would not be so bad. But these cases are far too few.

However, prosperity in the command areas due to profits from cash crops need not necessarily lead to an improvement in living standards, food security or gender equity. Access to irrigation has seen a change in cropping patterns. Agriculturists now switched over to water-intensive crops like sugarcane, rice and soyabean. Due to a reduced supply of food crops their prices increased. This led to a fall in the calorific intake among the relocatees as their diet was devoid of milk, fish, eggs and coarse grains that they had access to earlier. To include increased costs and additional expenses on fuel, seeds and fertiliser family budgets were readjusted and expenses on food were reduced. Women and female children were the first victims of the budget revision.

Women suffered further as they lost out on customary land rights and the supplementary income from the CPRs. Their access to resources post-displacement was mediated via their husbands and wider kinship networks.

Land-based resettlement has been inadequate due to anomalies of land allotment and the various other reasons mentioned earlier. In the absence of adequate cultivable land, restricted grazing grounds, loss of common property resources—the forests and river—and the community networks, low yields, and indebtedness, families have sought to eke out a livelihood through a combination of land- and wage-based income generation through the industrial or service sector or the local/regional economy. Rendered landless overnight, the displacees have sought:

- Wage employment on the dam site, at a casual daily rate much below the minimum wage. However, only limited employment opportunities are available here though government sources claimed that 8,500 people worked on the dam site and another 10,000 worked for a minimum wage of Rs 36 and Rs 25 a day. But according to the labourers, they earned as little as Rs 10 per day. Since they were organised through contractors, it is likely that a large part of the wage was kept by the contractors as a commission for themselves. Even at this meagre rates employment opportunities are limited (Independent Review Report 1992: 91).
- Work as domestic help in government guest houses and for the engineers, other government officers, new hotels and private households;
- To earn through seasonal migration as manual labourers in the farms, mainly in the sugarcane plantations and factories in the hinterland;
- Women, too, were forced to earn to supplement family income, mainly in the sugar plantations. Men were paid Rs 10 per day whereas women were paid only Rs 7 for the same work (TISS 1993).
- Torn apart from their established means of living, the SSP oustees are worse off than before.

The government claims to have resettled those displaced. But can the disruption of people's lives from their secure agrarian systems to make a living through pulling the rickshaw or human cart be considered as the restoration of livelihood? Large dams can have a positive impact on the livelihood of the displacees, provided they can reconstitute survival strategies and improve living standards in the impact areas through sharing the benefits of irrigation and electricity. They can work towards gender equity through increased access to land rights, literacy, food (through land replacement and irrigation), fuel and water for domestic consumption. However, this has not been the case of the SSP oustees. Displaced from their ancestral lands and established ways of life they are constantly in search of varied means of sustenance or livelihood.

Notes

1. The Sardar Sarovar is a multipurpose project and the largest dam of the Narmada Valley Development Project (NVDP), comprising 30 large, 135 medium and 3,000 smaller dams on the river Narmada and its 41 tributaries.

2. Of these, 245 villages are in Madhya Pradesh, 33 in Maharashtra and 19 in Gujarat. In terms of percentage, 80 per cent, 12 per cent and 8 per cent of the families are from

Madhya Pradesh, Maharashtra and Gujarat respectively. (Report of the Independent Review Committee [1992], Morse, Bradford and Thomas Berger, Resources Futures International, Ottawa, Canada).

3. It was mandated by Article 262 of the Indian Constitution and Section 5(3) of the Interstate Water Disputes Act of 1956.

4. Available at www.narmada.org/sardar sarovar/daud report.html.

References

Baviskar, Amita. 1995. *In the Belly of the River*. New Delhi: Oxford University Press, pp. 139–42.

Bhatia, Bela. 1997. 'Forced Evictions in the Narmada Valley'. In *The Dam and the Nation: Displacement and Resettlement in the Narmada Valley*, eds J. Derez, M. Sampson, and S. Singh. New Delhi: Oxford University Press, p. 300.

Cernea, Michael. 1988. 'Involuntary Resettlement in Development Projects'. World Bank Technical Paper, No. 80. Washington, DC: World Bank Publications.

Justice Ramaswamy, V., et al. 1979. *The Narmada Waters Dispute Tribunal Report*. New Delhi: Government of India.

Sangvai, Sanjay. 2000. *The River and Life*. Mumbai: Earthcare Books.

TISS. 1993. 'Experiences with Resettlement and Rehabilitation in Maharashtra'. Mumbai: TISS.

_____. 1997. 'Experiences with Resettlement and Rehabilitation in Maharashtra'. In *The Dam and the Nation: Displacement and Resettlement in the Narmada Valley*, eds J. Derez, M. Sampson, and S. Singh. New Delhi: Oxford University Press.

Section

VI

Forest Rights Act: A Step Forward

18

Issues Related to Implementation of the Forest Rights Act in Andhra Pradesh*

M. Gopinath Reddy, K. Anil Kumar,
P. Trinadha Rao, and Oliver Springate-Baginski

Andhra Pradesh (AP) is the fifth largest state in India, both in terms of geographical area (2,75,069 square kilometres), as well as in terms of population. AP had a population of 75.73 million in 2001, of which 55.22 million were rural, and 10.67 million people lived within forested landscapes; many of these may be considered 'forest people'. An estimated five million were indigenous or tribal people. AP contains extensive forest landscapes, and has the third largest forest cover among the states in India (Forest Survey of India 2009). A long-term historical process of the state extinguishing forest people's rights and expropriating them has led to severe livelihood insecurity and poverty.

The forested landscapes contain the highest concentrations of poverty. The relationship between the state and the forest people has been conflicted for at least a century, as the colonial state and the Nizam's client state sought to take over control of the forests and delegitimise forest people's use of the forests. After Independence, though these people became citizens, the conflictual relations continued, and indeed have been the root of much civil strife and insurgency across forested areas to this day.

The Forest Rights Act (henceforth FRA) was passed by India's Parliament in 2006, finally recognising, 60 years after Independence, that across almost one-quarter of India's land, 'historical injustice' has been perpetrated by the state forestry bureaucracy against rural populations:[1]

> ... [F]orest rights on ancestral lands and their habitat were not adequately recognised in the consolidation of State forests during the colonial period as well as in Independent India resulting in historical injustice.

* *Economic and Political Weekly* 46 (18), 30 April 2011.

The Act provides the legislative basis for redressing this injustice, and so has major implications across states, promising a more secure basis for forest people's livelihoods. However, is it realistic to expect after more than a century of state oppression of the forest people, that the relationship can be reversed at a stroke of the legislative pen? Particularly given that the forestry establishment of the colonial regime seems so securely entrenched in its control of the extensive state-enclosed lands (about 23 per cent of AP), which it annexed in this way. Does the FRA really signify a fundamental change in the political position of forest people in India? Or will the reform turn out to be more symbolic than material? The FRA process is an important case of apparently pro-poor contemporary institutional reform, and its implementation is clearly a central determinant of just how pro-poor it turns out to be in practice.

A Historical Institutional Approach

Institutional theory tells us that social, political and economic institutions, both formal and informal, not only shape behaviour and opportunities, but also define rights and distribute power. They, therefore, have major implications for poverty and its alleviation. Historical institutionalists (such as Harriss 2006; Sanders 2006) hypothesise that institutions (i.e., 'the rules of the game' by North's [1990] definition) are inevitably framed in the context of power relations, and hence, institutional formation and change is essentially a political process which has far-reaching economic implications. Historical institutionalists take a politically realistic approach to the link between the authorship and distributional outcomes of institutional reforms. Those with the power to prevail in negotiations can organise institutions best suited to their interests and can ensure they endure, even if this leads to divisive or dysfunctional outcomes for wider society or particular sections of it.

This approach commonly applies two central analytical concepts—critical junctures and path dependency. The idea of 'critical junctures' suggests that there are moments ('junctures', similar to the concept of bifurcation points in the natural sciences) when sharp institutional changes can be made. At these points, contestation and power struggles play a critical determining role. Obvious examples of this are wars, colonial annexations, revolutions, coups d'état, and so on. Of course, the extent of criticalness can clearly vary greatly, as can the mix of precipitating causes, which may be due to environmental, political, or economic crises and may be internal to a polity/economy, or brought about by external events.

Fundamental changes in property and tenure regimes are good examples of a 'critical juncture'. In terms of forest tenures, we will see how the colonial concern to secure sustainable timber supplies led, in the mid-nineteenth century, to the creation of forest bureaucracies and legal provisions to create a national forest estate. This may be seen as the key 'critical juncture' in India's, and specifically AP's, forest landscapes.

Explaining why this is the case brings us to the second and complementary key idea which historical institutionalists use, that of 'path dependency'. This alludes to the pattern by which a consolidated institution becomes very hard to change so that once it is established it has a profound proclivity to remain in place even when regimes change. The sharp historical institutionalist in political science would recognise two aspects of this institutional 'stickiness'. First, an institution is often embedded in a network of associated and complementary institutions (formal and informal). It is hard to change one without having effective change in others; moreover, there will be a culture of familiarity with a particular institutional network. Also, there may be strong ideological/political attachments to an institution and what it represents. Second, underpinning the resistance to change and hence sustaining the path dependency are questions of incumbent power and politics. Power is involved because there will be deep vested interests committed to defending the institutions ('an organisation's biggest output is itself', to paraphrase Stafford Beer's 1995 paper); politics is implicated because there may be wider electoral considerations which governments do not want to threaten.

So, in historical institutional analysis, critical juncture and path dependency stand in tension with each other. There may be critical junctures with a political regime coming to power or major reform, such that there is room for manoeuvre. But these attempts at change may be thwarted by path dependent factors, power relations and resistance or diversion by bureaucracies and interest groups. In federal structures like India, a critical juncture, which gives rise to new policy or legislation, will have very different implementation effects across different states, due to the diversity of local institutional arrangements.

This study applies this historical institutional approach to help make sense of the complex historical processes and contemporary contestation over institutions relating to forest rights in the Indian context.

Research Questions and Methods

This study seeks to understand the extent to which the FRA 2006 can be considered a pro-poor institutional reform for AP. The study focuses on four key research questions in relation to AP:

- Why and how did the FRA emerge, in the context of the origins and extent of the underlying rights deprivation?
- Do the FRA's provisions adequately cover the range of forest rights deprivation in AP?
- Does implementation of the FRA actually result in meaningful and pro-poor institutional reforms at the local level?
- Will the FRA lead to poverty alleviation and pro-poor growth, and if so, how?

In order to answer these questions, we conducted extensive primary research at the field level. This was complemented at the outset by state and district-level reviews, by interviews and discussions with key stakeholders—concerned officials, non-governmental organisations (NGOs), and various others—to elicit their views,

experiences and suggestions. Secondary data was compiled from reports, appraisal and evaluation documents of the World Bank and the forest department, government orders, and so on.

We then moved on to primary data collection through field surveys at selected study sites using group meetings, as well as household and village questionnaires. Geographical Positioning Systems (GPS) were used to identify and map village locations. We selected six villages across five districts of AP to reflect the range of different local conditions and institutional arrangements in the state relating to forest rights deprivations. The factors we sought to cover in village selection were as follows:

- The three different agro-ecological regions (Telangana, Rayalseema and Coastal Andhra), with their different administrative histories (i.e. the Nizam state in Telangana, Madras Presidency in Coastal Andhra and Raylaseema).
- The different contemporary administrative patterns affecting forest people, especially:
  (1) Scheduled areas, districts where tribal populations are predominant and falling under the Constitution's Fifth Schedule for specific administrative protections. This applies mainly to the northern tribal belt.
  (2) Tribal 'sub-plan' areas, where tribals are not predominant in the district overall and, therefore, sub-plans are provided for these groups.
  (3) Non-scheduled plains areas, mainly in Rayalaseema to the south.
- Variations in type of forest, nature of forest dependency, and social composition.
- The main forms of rights deprivation in each of the regions.

Through careful selection, we chose five districts with high extent of forest which are known to contain extensive forest rights deprivations—Adilabad, East Godavari, West Godavari, Visakhapatnam and Kurnool.

Within these districts, six panchayats were selected, based mainly on how they reflected forest rights deprivation scenarios. Within each panchayat, one village was selected randomly—Cheruvuguda, Pamuleru, Panasanapalem, Koruturu, Goppulapalem and Nagaluty. Research was conducted across these villages between early 2008 and mid-2009, using a range of triangulated data collection methods and they were revisited in early 2010.

FRA Coverage

The FRA was the result of an intensely contested drafting process (Bose 2010). The subsequent implementation of rules to bring the Act into force, were issued on 1 January 2008.

Overall, the FRA's key institutional reform is that legal rights will be accorded to private occupation, and to village common property resources currently in state forest land, subject to checks and proofs. It thus promises to redress the main rights deprivations listed above.

In all our study villages, the local people eagerly anticipated that under the FRA, they could receive private land titles or *pattas* to the land they presently are cultivating without titles. Private land is not the only rights issue that the local people are eager to have reformed. Access to common lands has also been legally denied by the state through a range of policies. Under the FRA, the local people have the right to their common resources, and are hoping to secure these rights through its implementation.

The Act, however, is not a panacea. It is constrained in the extent to which it can redress rights deprivations. The specific wording of the Act leads to indeterminacy over how far it provides for such redressal. Furthermore, its provisions are limited in some significant ways.

First, the rights ensured under the Act remain subject to the state's eminent domain in acquisition of lands in the name of development projects (as is true of any land rights, although acquisition has been a particular problem in upland areas).

Second, the forest land titles assured under the Act are inalienable, and as such, the titles granted to the claimants contain no absolute and alienable right over the property. Private titles awarded under the forest settlement rules of the AP Forest Act created absolute title over the forest lands under occupation by claimants during the forest reservation process. Titles granted under the FRA are not creating ownership over lands in the same way.

Third, although the private rights to be granted are heritable under Section 4 clause (4), there is no provision to promote gender equity in inheritance. The FRA ensures joint title in the name of spouses in case of married persons. In the case of a single head, and in the absence of a direct heir, the heritable right shall pass on to the next of kin. However, who that successor would be is not specified. Neither the Hindu Succession Act nor the Indian Succession Act is applicable to the STs in view of specific bars under the said laws. Only customary law is applicable for tribal communities in succession of properties, and in most tribal communities, customary law ensures patrilineal succession. These customary laws exclude tribal women from claiming a share in inherited property. This is a clear case of gender discrimination.

Fourth, the FRA is not explicit about whether the claimant should be in actual possession of or control over the land. Section 4(3) of the Act gives eligibility for forest rights to STs and other traditional forest-dwellers if they had occupied the forest land before 13 December 2005. However, Section 4(6) restrains the claimant from claiming forest lands which are not under cultivation. The provision ensures title to the 'actual occupant' of forest land to the extent of four hectares or nearly 10 acres. But tribals typically shift their cultivation plots from place to place over time to allow fallows.

Fifth, the FRA has put a cut-off period, i.e. 13 December 2005, which means that rights deprived after that time will not be considered for redressal.

Finally, the rules made under the Act, specifically Rule 11, fix a three-month period for filing claims. Although Rule 14 enables the aggrieved party to file appeals against the resolutions passed by committees at various levels within a limited period of 60 days, the law is silent about the communication of the decision of such bodies to these parties.

Thus, there are a range of concerns over the extent to which the Act can redress rights deprivations. Evidently a major part of its potential remains contingent on

how it is interpreted and followed during implementation. Yet, the implementation provisions in the 2008 rules themselves also leave a large number of ambiguities to the discretionary power of the implementing agencies, as discussed in Sarin and Oliver (2010).

FRA Implementation in Andhra Pradesh

This section considers the processes through which the nationally mandated institutional reform of forest rights is being implemented in AP, and the extent to which the letter and spirit of the Act is being realised at the local level and whether the anticipated rights' redress is actually occurring.

At the state level, there has been a rapid and apparently efficient response—very soon after the Act came into force on 1 January 2008, the AP government distinguished itself as one of the quickest to start FRA implementation. Table 18.1 summarises the state-level process. Early in January 2008, the AP Chief Minister, Y. S. Rajasekhara Reddy, requested the coordinating principal secretary of the tribal welfare department to develop an implementation roadmap, in consultation with the forest department and the collectors. This was rapidly issued later in January. The plan originally required that title deeds be issued as improbably early as within 10 months by 30 October 2008, which to most observers familiar with the complexity of the issues involved seemed an absurdly brief period. This unrealistically rapid schedule required gram sabhas to be convened for forest rights committees (FRCs) formed before 29 February 2008. Claims were to be received by 31 May 2008.

The plan focused only on private land rights; common property issues were neglected. The welfare language of beneficiaries was used widely by the late chief minister to give the impression of a patrimonial gift, rather than correction of prior injustice.

The roadmap inevitably slipped as time passed, particularly reflected in the fact that the necessary claim forms did not reach many villages. By 30 October 2008 deadline, mobilisation for FRA implementation had taken place only in 700 to 800 villages of an estimated 5,000 forest villages.

The overly hasty 'command and control' implementation approach raises serious concerns. The hasty schedule offers only a minimal window of opportunity for rights redressal, and creates a sudden cut-off date beyond which redressal is impossible. Clarifying extremely complex tenure issues for many local people—requires a significant period of time if it is to be completed properly. However, under the rapid programme proposed, rights-deprived citizens will miss their opportunity if compiling of claims takes more than a minimal period. Complete and proper implementation of the FRA inevitably demands a detailed and probably lengthy process of assessment. A hasty schedule at the time of the original forest settlements was the cause of considerable rights deprivation. Hasty roadmaps inevitably compound problems by cutting corners, as seen in the study villages. Whether a rapid disposal of the problem was the intent, or whether the complexity was not understood, is unclear.

TABLE 18.1: Summary Timeline of FRA-Related Developments

	Action
31 December 2006	Passing of FRA by Indian Parliament
1 January–31 December 2007	Interim period while rules were drafted
1 January 2008	Passing of rules leading to enactment of FRA
January 2008	AP government plan/road map for FRA implementation issued
March 2008	AP government orders to district magistrates to commence gram sabha meetings to form FRCS
13 August 2008	Government order misinterprets the term "community" to allow AP forest department Joint Forest Management (JFM) committees to usurp community lands under FRA
21 October 2008	AP chief minister reviews progress at a district collectors' conference. Only 700-800 of estimated 5,000 forest villages mobilised
February 2009	Interim order of the high court to proceed with FRA implementation
1 May 2009	AP High Court accepts state government's move to complete implementation and issue final title for rights

IMPLICATIONS OF FRA RULES

The FRA national rules oblige the state to create four tiers of committees to oversee implementation—state, district, sub-divisional level committees and habitation-level FRCs. The first three could be rapidly formed with administrators. In March 2008, the AP government issued administrative orders to the district magistrates to commence gram sabha meetings to form the lowest, fourth level FRCs.

According to the rules, the gram sabha meeting should be held at the hamlet or habitation level. However, this rule has been bypassed by the government of AP. Unlike in other states, under the AP Panchayat Raj Act, a 'village' has been interpreted to mean an administrative village, a cluster of hamlets, i.e. a gram panchayat rather than the hamlet itself.[2]

Thus, in AP, the gram sabha equates with the gram panchayat, and as such, the FRA formation meetings have been held at the gram panchayat level, which typically encompasses many hamlets. This has been a very serious problem for FRA implementation. While it may be more convenient to allow the administrators to rapidly cover many citizens, the much larger panchayat meetings cannot focus on the specific needs of the most rights-deprived hamlets. As a result, villagers were not properly informed about the FRA process, and many could not file their claims

properly. Despite the problems, the initial formation of FRCs went ahead, initiating the local-level process of awareness-raising, calling for and processing claims.

Over and above the bureaucratic shortcomings in implementation, there has also been attempted obstruction from the current and retired public servants of the forest department, an organisation with vested interests affected by reform. Both before and after the Act came into force, the AP forest department has made several efforts to obstruct the implementation of the Act at the state level. First, over 2007–8, several writ petitions were filed in the high courts of several states, including AP, against the implementation of the Act on the grounds that this will lead to 'degeneration' of the forest, and that people may misuse the Act. These somewhat desperate petitions were filed by retired forestry public servants, seeking to obstruct the rights redressal process in the interests of their former employer and colleagues.

A stay order was granted by the AP High Court on 19 August 2008, directing the state to proceed with the process but not to hand over final titles. Subsequently, in February 2009, the AP High Court issued an interim order to proceed with FRA implementation, and on 1 May, the AP High Court, after hearing and dismissing objections from the writ petitioners, gave clearance for the state government's move to complete implementation and issue the final rights titles. The petition was transferred to the Supreme Court, although the prospects for a sympathetic hearing seem to be receding.

These legal contests created confusion among the local people, as well as in the implementing machinery. As of February 2009, the interim order of the high court led to general apathy among government officials, who widely interpreted the order as a stay order, when it was not one. Individual claims were mostly filed, though the FRCs was constituted mainly at the panchayat level. The AP High Court order of 1 May 2009, stating that the authorities are permitted to issue certificate of title to eligible dwelling STs and other traditional forest-dwellers. It further held that the grant of such certificates would be subject to the result in the main writ proceedings challenging the legislation and also subject to the objections pointed out by the petitioners during the enquiry.[3]

A second effort on the part of the AP forest department to obstruct the full implementation of the Act, and one of the most serious breaches of the FRA by any state, came when the AP government issued an administrative order Ms 162, dated 13 August 2008, to reinterpret the FRA provisions for community rights, in order to appropriate these rights for forest department local bodies, rather than the actual village community. The order enabled the Vana Samrakshana Samithi (VSS) ad hoc administrative bodies under the control of the forest department, created to implement Joint Forest Management (JFM) schemes, to claim community rights. In doing so, the government wilfully misinterpreted the Act's meaning of community. The VSS is not a community, but a selected committee constituted for project implementation.

The government order did give some minimal consolation:[4]

> ... if any individual member of VSS had at any time occupied or was in possession of forest land which has subsequently been brought under common use, he may claim such rights under the FRA....

However, even this was eroded in a further government order. AP's Environment, Forests, Science and Technology Department clarified that individuals cannot get rights in VSS areas as the claimants were not in possession of the land as on the cut-off dates of 13 December 2005 and 31 December 2007, as per the FRA.[5]

The implication of this government order can be observed in Adilabad district where 34 VSS have already been given community rights over the forest lands of 2,66,000 acres under the FRA.

Third, it is apparent that forest department staff has influenced the local processes of according rights in order to minimise redress, as we see in the next section.

Local-Level Implementation

The field staff of the Integrated Tribal Development Agency (ITDA), the nodal implementing agency, together sought to facilitate five stages of implementation:

(1) The initial gram sabha meeting and formation of FRC
(2) FRC awareness-raising and training
(3) Distribution of claim forms and receipt of submitted claims
(4) Verification of claims
(5) Final issuing of titles

It is difficult to ascertain just how many villages were covered by the local implementation process, but it seems at the time of writing that many tribal villages were not covered at all, although the most remote villages of all were most liable to be left out, as with the faulty forest settlements the FRA is supposed to correct.

As mentioned above, early reports from the AP government's department of tribal welfare stated that of an estimated 5,000 villages, they could only mobilise 700–800. Undoubtedly this figure has increased with time, but it may be reasonably estimated, in the glaring absence of official figures, that perhaps 50–60 per cent of the eligible settlements have not yet been included in the FRC formation process. Lack of information and transparency over this issue is a major problem with the implementation of the Act.

Initial Gram Sabha Meeting to Form FRCs

The first step at local level was to hold local gram sabha meetings to elect FRCs. The actual formal notifications from officials that they were to conduct gram sabha meetings for forming FRCs were received in our study sites at most only two days before the actual meeting date, and in some cases, only a day before; in several surrounding villages, local people told us that they were not even informed until the day of the meeting. Due to this short notice, many meetings were poorly attended and people were unclear about the purpose.

The holding of meetings at the inappropriate level has also been a serious problem. Gram sabha hamlet-level meetings as prescribed under the FRA were held at the panchayat administrative level, for several hamlets together. This process

not only undermines the democratic rights of the members of the gram sabha, but also makes it impractical for many members of the gram sabha to attend and participate due to the distance. Particularly in the scheduled areas, the tribal habitations are situated far from village administrative centres, sometimes as much as 15 to 20 kilometres from gram panchayat headquarters. Nevertheless, in all our sample villages, gram sabhas were organised at the panchayat level, instead of at the hamlet level.

A third grave contravention was that whilst the rules direct that the gram sabha shall elect the FRC, in one-third of our study villages, the FRC members were selected by the officials, not elected, and elected in some cases by officials even without the knowledge of the local community, and in some cases even without the knowledge of those selected! Although this was not the case at our sites, there are many reports that in some FRCs, non-tribal representation is greater than that of the tribals, and that in many areas, ruling party and powerful sarpanches and village heads have become FRC chairpersons.

Thus villagers were hardly notified before government officials moved in to form FRCs. So when the government staff did arrive, the people had no idea about what was happening, other than the fact that government officials had entered their villages. In Panasanapalem village, the public servants behaved in an arrogant manner, warning the villagers that they would not get pattas if they did not form FRCs as instructed. However, local dissent towards this misimplementation has not been tolerated.

Despite the shortcomings of the process, FRCs have been formed across the eight districts of the state that fall within the scheduled areas,[6] as well as in some non-scheduled districts. With the three grave problems outlined above, we can reasonably conclude that the initial FRC formation process was severely flawed in terms of inclusion and quality, due to both bureaucratic expediency and deliberate avoidance of devolution of power to the local government (see Table 18.2).

FRC Training and Community Awareness Raising

After the FRCs were created, both committee training and community awareness raising programmes were conducted. For FRC members, specific training programmes were organised at mandal and ITDA levels to improve understanding of the implementation process, and to impart specific skills for filing claims, and GPS land survey.

FRC capacity building does not seem to have been effectively conducted in two-thirds of our study sites. Villagers complained that at the time of training, capacity building was not done properly. Moreover, the training was completed in one day at the mandal level, so there was little time to go into detail.

Many of the FRC members ended up not knowing their duties and responsibilities and so could not create awareness among the wider communities. Furthermore, for these severely deprived groups, a day away from work entailed a high cost and yet, travel and food allowances were not provided.

TABLE 18.2: FRC Formation Meeting at Study Villages

Study Village	√ Hamlet or x Village Level	Advance Notice Receipt (days)	Distance of Meeting from Hamlet (in km)	Approximate Attendance	Date FRC Formed	√ Elected or x Selected	Organisations Involved					Local People's Perceptions
							ITDA	IKP	MRO	MDO	VTDA	
AP1 Cheruvuguda	x Village	2	2	800	5 March 2008	√ Elected	√	√	√	√		x Process poor √ but happy with FRC secretary' sperformance
AP2 Goppulapalem	x Village	2	2	200	29 February 2008	√ Elected		√	√	√		x Process poor √ but FRC doing good job
AP3 Pamuleru	x Village	2	4	300	24 March 2008	√ Elected	√	√	√	√		x Dissatisfied with process √ FRCs doing good job
AP4 Panasa-napalem	x Village	2	0	250	1 March 2008	x Selected	√	√	√	√		x Dissatisfied with process x Few people informed of FRC meeting x Selected FRC members not informed of selection
AP5 Koruturu	x Village	1	0	320	20 June 2008	x Slected	√	√	√	√		x Dissatisified with process
AP6 Nagaluty	x Village	2	5	250	26 February 2008	√ Elected	√					x Process poor √ FRCs doing good job

Note: In addition to the ITDA, the other organisations are the state supported programme Indira Kranthi Patham (IKP), the Mandal Revenue Officer (MRO), the Mandal Development Officer (MDO) and the Village Tribal Development Agency (VTDA).

Source: Field ITDA officials and FRC members.

For the general village population, broad awareness-raising activities were conducted, although the extent of these activities was highly variable. In our study villages, the government staff, along with some NGOs, such as, Laya Human Rights in Pamuleru and Koruturu and Gondwana in Cheruvuguda village, organised:

- Mass awareness raising through poster display in all six villages
- Performance-based cultural programmes or Kalajathas in two villages, Pamuleru and Nagaluty
- Awareness-raising meetings in two villages, Pamuleru, and
- Koruturu to create awareness regarding FRA provisions and about individual and community rights among village communities

The outcome of these awareness-raising efforts has been mixed, and generally constrained. The key problem seems to have been the quality. The extent of the training has been too limited and superficial in most areas.

Self-perceived awareness levels regarding the FRA in the study communities vary greatly, ranging from totally 'unaware' to a 'thorough understanding'. In half of the six study villages (Pamuleru, Cheruvuguda and Goppulapalem), most people were roughly aware of the provisions of the FRA and the implementation process, although in Goppulapalem and Nagaluty villages, the people were not aware about community rights issues. In the other half (Panasanapalem, Koruturu and Nagaluty), despite official awareness programmes, most people were still very unclear about the FRA and its provisions.

Thus, a communication gap between the officials and the local people was evident across the study sites, and this seems to be reflected across the state. In many areas, even the officials were not aware about the Act and they were interpreting it in their own way. At senior levels, there was either an apparent lack of understanding, or a deliberate misinterpretation of the principles of the FRA. This is reflected in the fact that community rights have not been addressed properly either in FRC training or in awareness raising. For instance, in Adilabad district, the para-legal coordinator did not have much idea about the community rights claims. The local NGOs and community workers have generally not been involved in the process, and so are unable to provide need-based services to the community for claiming their rights as per the directions given by the government.

SUBMITTING CLAIMS

Having formed FRCs and raised awareness, at least to some extent, the next stage was for the local people to actually make claims. There are two claims processes—individual (A forms) and collective (B forms). In the beginning of the implementation programme, claims being made were mostly individual with less attention to community rights. However, the collective rights issue also gradually gathered pace as understanding increased.

Individual Claims

At four of the six sample villages, the FRC distributed claim forms, allowed one month for completion and subsequently received back applications from the claimants. Forms for private lands were not distributed in the villages of Koruturu and Panasanapalem, as in these villages land comes under the revenue department area; the villagers did not get the opportunity to claim that land according to FRA provisions.

The completion of a claim requires gathering of supporting evidence and documentation. Claims are then to be verified on the ground by the FRC. The local people complained that considering the requirements the month allowed for completion was inadequate. Also in most areas, the land survey was conducted with the help of the project staff. The low level of local people's understanding, due to poor training, resulted in serious problems at this stage. Many eligible claimants lacked adequate knowledge about the Act and the rules, and could not assess their eligibility and the process for claims. Many eligible claimants also did not claim due to a perception that they lacked adequate evidence. Furthermore, many eligible claimants also lacked information about the dates of the gram sabha meetings and the cut-off dates for submitting the claim forms. A particular problem, which many eligible claimants encountered was obtaining caste certificates, as many had no patta lands, but only customary rights on the land under their possession. In such cases, there was confusion over who would issue the caste certificate.

In order to address the difficulties in the claims process, a support role of social mobiliser was allocated to each village, deputed from the IKP project. These worked in conjunction with FRC members and the VTDAs to help prospective claimants complete their claim forms and find evidence such as, documentation and statement of elders other than claimants. We found their conduct to be generally fair and impartial at this stage.

In all, 275 individual claims were submitted in five of the six villages. In most villages, receipts were given for claims, although in some non-study villages, it was reported that this was not happening. In four of our six villages, over 80 per cent of the households filed claims. In the remaining two villages, private claims could not be made under the FRA as they were revenue land and not forest land. For those for which we have data, the mean size of claims ranges from just 1.63 acres to 6.63 acres.

The overall picture is surprisingly positive. Private claims have been made across the majority of the villages for reasonable plots of land. This is understandable because there has been high focus and attention on private claims, at the cost of diversion of attention away from community claims.

Community Claims

Primarily due to the lack of awareness, in many settlements, community claim forms (form B) were either not distributed, or distributed but not used. Initially, no claim forms were issued for community rights; this was explained to be due to a shortage of claim B forms, even though only one form is needed per hamlet. The B

forms were subsequently issued, but only one per hamlet. However, the prevailing lack of awareness about community claims means that in many places, individual claims are being submitted. In two study villages, Goppulapalem and Nagaluty, community claims were not submitted simply because villagers were not aware about the possibility of community claims. And in many cases where community claims were made, the people were told to simply tick those rights that they wished to claim, but without proper corroboration, this practice led to their rejection.

However, awareness spread gradually, following mobilisation by grass-roots groups and movements, who have been providing villagers training in mapping their community forest resources. Claims for community forest resource rights have now been filed by several hundred villages across the state.

In our study sites, a total of seven community claims have been submitted across four of the six study villages. A very significant reform in two study villages, Pamuleru and Panasanapalem, is that villages have applied to take back community forests from control of the forest department's JFM scheme. In most areas, the claimants applied for their individual entitlements and not for community rights like grazing lands, pathways, burial grounds, temples, rivers and streams.

The process of recognition of community rights has incidentally led to rediscovery of many community lands that were illegally seized by the forest department. In some areas, as in the case of Orient Cement in a village in Adilabad, this contributed to helping people resist handover of their common lands to private companies.

Community claims are now being sent directly to the sub-divisional level committees (SDLCs). Although district collectors and ITDA officers have now agreed to accept claims for community rights, no facilitation for these is being provided by the government. Tracking the claim application process is difficult because of weak record keeping. In many places, there is a lack of transparency at the village level about claims received and sent to the next level.

Verification of Collective Claims

Community claims are submitted by the gram sabha itself to the SDLC, and the second and third verification stages are followed as with individual claims above.

Some communities, such as Cheruvuguda have, however, become aware of collective rights and made applications. But even communities that submitted collective claims find them pending with the SDLCs, due to lack of evidence.

Girijan Cooperative Corporation (GCC), a state-owned agency in AP, has obstructed tribals from taking away their non-timber forest produce (hill brooms) from the forests in the scheduled areas of East Godavari district. In response, the community mobilised on this issue and submitted a memorandum to the concerned officials under the FRA.

Cut-off deadlines are proving a particular problem for community claims, due to the initial delays and the lack of awareness. As part of the road map, the authorities did not make it clear to the villagers that the gram sabhas can extend the claims period of three months.

The authorities are reluctant to entertain the claim forms after the period prescribed by the government. This is a distortion of the FRA. The gram sabha is the authority to receive the claim forms, and if the gram sabha decides that the forest rights recognition process is not complete, it can extend the cut-off date by passing a resolution, noting down the reasons for extension.

The forest department has been interfering with the community claims process in a number of ways.

In the Gudem area of Visakhapatnam district, the forest department has not been permitting the filing of any claims on the grounds that no survey of forest land had been done under the AP Forest Act of 1967, and no final notification for that have been issued to date. However, the villagers have rejected this premise saying that there is no link between notification of the land and people's right to file claims under the FRA. Similarly, claims were not being entertained for the land to be submerged by the Polavaram dam or allocated for other development purposes.

In protected areas as well, the process of claiming rights is continuing. But due to the lack of organisation, for instance, among the Chenchus in Srisailam Tiger Reserve, there are efforts to illegally relocate them.

Overall, we can conclude that because of the shortcomings in the process, claims so far have been a small fraction of the total rights deprivation. There have also been some cases of abuse of the process. However, due to lack of records, it is hard to gather an overall picture of the extent of the total rights deprivation. There have been limited applications for community rights (like grazing lands, path ways, burial grounds, temples, rivers and streams). This is largely because the training has not raised awareness of the collective rights provisions in the Act. In most places, local community-oriented NGOs were not involved in the process, and so were unable to provide the services needed to help the communities claim their rights according to the requirements.

VSS Usurpation

A third significant issue of forest department interference, and the most problematic of all, has been the AP forest department using village-level ad hoc JFM committees to make community claims. This is effectively putting land eligible for authentic community control back under forest department control, a complete perversion of the FRA provisions, and can reasonably be seen as an attempted coup against the community forest resource rights provision of the FRA.

On the surface, AP has also issued an impressive 2,276 community certificates of titles (presumably meaning titles for community rights) for a total area of 7,84,949 acres. Information obtained under the right to information (RTI) about the details of these community claims, however, has revealed that the majority of community forest rights which have been approved are claims filed by JFM committees, i.e. the VSS which have no right to file claims under the Act. If the forest department-created committees continue, the gram sabhas empowered to protect, conserve and manage community forest resources for sustainable use will be illegally deprived of

their statutory rights under the Act, while the forest department will retain control over the JFM committees as before.

In contrast, many of the community claims filed by villagers have either been rejected or approved for a much smaller area than that claimed. The Adivasi Aikya Vedike organised a protest against this abuse of the FRA in Adilabad, and the villagers are planning to file fresh claims for community forest resource rights. Herding and grazier communities have been struggling to file claims for seasonal grazing rights which continue to be ignored.

FRA Implementation Status

The claim-filing process is believed to be almost complete as of by the end of August 2009 in Adilabad, Visakhapatnam, East Godavari, West Godavari and Kurnool districts of AP. The pattern of problems with the process that we have described has been prevalent across the state, testified by a range of newspaper reports and local studies.

As on 30 April 2010, individual claims numbering 3,22,955, covering an extent of 9,49,518 acres, were received. A further 6,903 community claims, covering an extent of 10,12,844 acres, were also received. Of the total 3,29,858 (19,62,362 acres) claims received, 45 per cent (1,49,665) were rejected due to various reasons. The remaining 55 per cent of the claims, numbering 1,63,108 and covering an extent of 14,08,654 acres, were distributed. Out of total titles distributed, 1,978 community claims certificates were issued for an extent of 9,48,749 acres. There is no break-up available on the status of the title distribution in respect of individuals and community claims, separately with regard to ST and other traditional forest-dwellers. Of AP's recorded forest area of 15.8 million acres, 12.4 per cent of state forest, covering an extent of nearly 2 million acres of forest land, is approved for community and private rights in the state.

FRA Implementation and Livelihoods

Although it is too early to draw any definitive conclusions about the extent to which the FRA will reduce poverty, we can see that even despite a very problematic implementation, process rights to private cultivated and collective land are recognised. For people living an extremely insecure marginal existence, these are very significant.

In all the sample villages, forests land and forest resources, primarily minor forest products (MFPs) or non-timber forest products (NTFPs) play an important role in the viability and survival of tribal households. Tribals in the villages collect a large variety of NTFPs, including tamarind (*Tamarindus indica*), adda leaf (*Bauhinia vahlii*), gum karaya (*Sterculia urens*), myrobalans, mahua flowers and seeds (*Madhuca indica*), wild brooms and soap nuts (*Sapindus emarginatus*). Income from the sale of NTFPs in all the villages constitutes anywhere from 10 per cent to 55 per cent of the total household income. In the study villages, data indicated that small and marginal tribal households accrue a greater percentage of their income from forest

produce. Common land and resources are the primary source of survival for the poorest households in all the villages.

The basic benefit is the legal right—household tenure over cultivated forest lands, and a legal basis for collection of forest products and grazing. These rights lay the foundation for a change in the social status of hitherto marginalised households. They can then expect to be free from regular harassment from forest department field staff. Furthermore, they anticipate increased livelihood security and consequent dignity and social status. Rights would also help to resolve land disputes among the members of the community.

Furthermore, if the government makes a special provision for accepting inalienable titles as collateral, legal rights are likely to allow access to credit on the basis of land titles. Right-holders may also be expected to be able to better access a range of government development programmes and normal service provision such as agriculture extension and land improvement schemes. Other developmental agencies will be mandated to work in the forest areas, which will have far-reaching effects on the development of forest-dependent communities, particularly programmes like the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and microcredit schemes.

Conclusions and Policy Recommendations

FRA 2006 promises to be a pro-poor institutional reform, and indeed, many poor have already benefited from its implementation. However, the process has been severely anti-poor, and so the pro-poor benefits have been restricted in many ways.

Most forest-dwelling families have been regarded as encroachers on forest land. The FRA aimed at providing poor people rights to forest land already occupied by them and access to forest produce for livelihood purposes. The Act is a major breakthrough enabling legislation, despite debate over the details, but its success, and whether it will actually lead to meaningful pro-poor institutional reform at the local level, depends on whether it is successfully implemented. Unless the rights are recognised and actually recorded in forest records, they will remain temporary.

The government is reluctant to go ahead with implementation of FRA in the Polavaram project submergence areas and areas allocated for other development projects to avoid future legal entitlement conflicts and payment of compensation to forest land occupants, though this is a blatant violation of the Act.

Section 4(5) of the Act bars the eviction of any forest land occupant till the process of recognition of their rights has been completed. Similarly, in violation of the Act, claimants from protected areas are being pressured to relocate without recognition of their rights.

There has been a lack of concerted coordination in the implementation of the FRA, such that the pro-poor outcomes envisaged by the act may not be widely achieved. This is due to a lack of coordination and transparency at various levels, as well as the continuing dominant role of the revenue and forest departments, which have inhibited democratic FRA implementation.

People's institutions like gram sabhas and FRCs have been reduced to a secondary position and because of this, genuine claims have not been sufficiently heard. Certainly as an institutional reform to undo the historical injustice done to forest-dwelling communities, FRA is a laudable achievement. Although this Act has good potential as a pro-poor measure, effective and transparent implementation is the key. It is here that civil society, political parties and academia need to put pressure on policy-makers and ruling governments. Implementation of the FRA will definitely impact the forest-dependent people in terms of livelihood security. Transparent and honest implementation, giving scope for few errors and mistakes is the need of the day.

Notes

1. From the first page of the preamble to the Act.

2. However, this definition is not applicable to scheduled areas. The applicable definition for village under the Panchayat Extension to Scheduled Areas (PESA) Act 1996, states that a village shall ordinarily consist of a habitation, a group of habitations, a hamlet or a group of hamlets.

3. Order of Andhra Pradesh High Court in WPMP 23208 of 2008 and WPMP 2566 of 2009 in WP 21479 of 2007.

4. Social welfare department (LTR-I), government order MS 162, 13 August 2008.

5. Ref. No. 5032/For III/2007, dated 24 July 2009.

6. These are Adilabad, East Godavari, Khammam, Mahbubnagar, Prakasham, Srikakulam, Visakhapatnam, Warangal and West Godavari districts.

References

Beer, Stafford. 1995. *Designing Freedom*. London: Wiley.

Bose, Indranil. 2010. 'How Did the Indian Forest Rights Act, 2006, Emerge?'. IPPG discussion paper 39, University of Manchester, also at: http://www.ippg.org.uk/papers/dp39.pdf.

Forest Survey of India. 2009. *State of Forest Report*. Dehradun: FSI, also at www.fsi.nic.in/sfr 2009.htm.

Harriss, John. 2006. 'Notes on a Historical Institutional Approach to the IPG Agenda'. IPPG discussion paper 1, University of Manchester, also at: http://www.ippg.org.uk/papers/dp1.pdf.

North, D. C. 1990. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.

Sanders, E. 2006. 'Historical Institutionalism'. In *The Oxford Handbook of Political Institutions*, eds R. A. W. Rhodes, S. A. Binder and B. A. Rockman. Oxford: Oxford University Press, pp. 39–55.

Sarin, Madhu, and Oliver Springate-Baginski. 2010. 'India's Forest Rights Act: The Anatomy of a Necessary but not Sufficient Institutional Reform'. IPPG discussion paper 45, University of Manchester, also at: http://www.ippg.org.uk/papers/dp45.pdf.

19

Scheduled Tribes Bill, 2005*

Indra Munshi

Large-scale eviction of tribals from 'encroachments' on forest lands during May 2002 and 2004, and the widespread protests that followed form the backdrop against which the Scheduled Tribes and Forest-Dwellers (Recognition of Forest Rights) Bill, 2005, was conceived. In January 2005, the prime minister decided that a bill granting forest rights to tribals should be drafted and tabled in Parliament. The task of drafting it was assigned to the ministry of tribal affairs (MoTA). Significantly, the director-general of forests was a member of the technical support group (TSG), which was constituted by MoTA to help in the drafting of the bill along with representatives of other ministries. The draft bill has, however, generated a great deal of debate and disagreement between environmentalists, wildlife conservationists, foresters, social activists and other concerned citizens, as a result of which it has been withheld (and currently in the process of revision). The supporters and the opponents of the bill have argued passionately for or against it. Some important issues have emerged which require critical assessment and serious consideration.

Objections to the Bill

The most contentious clause in the draft bill concerns forest land—2.5 hectares of which is proposed to be given to each tribal family occupying forest land before 25 October 1980. This, critics fear, could result in fresh encroachments, loss of forest, and more important, 'passing' of these lands into the hands of the land and timber mafia who are known to exploit the ignorance and vulnerability of the tribals. It is seen as a 'clear invitation to disaster'. Besides, it is argued, the demand to bring forward the cut-off date (for conferring of land rights) will continue to be made until much of the forests are gone. The right to allot this land, which is to be registered jointly in the name of a male member of the family and his spouse, is given to the gram sabha of the village concerned. It is pointed out that gram sabhas are often driven by political rather than conservationist considerations and cannot, therefore,

* *Economic and Political Weekly* 40 (41), 8 October 2005.

be trusted with such an important task. Activists also observe that it would be impossible to implement the bill in non-scheduled areas, or even in scheduled areas where the gram sabha has not been constituted properly or not formed at all.

The ministry of environment and forest (MoEF) has questioned the very necessity of the bill. Although it recognises the traditional rights of tribals over their 'ancestral heritage', it finds the provisions of the bill totally unacceptable. The ministry points out:

> ... giving the power of settlements of claims to gram sabhas/subdivisional committees/ district committees will result in local vested interests taking over, fresh encrochments coming up and the situation going out of hand. The draft bill envisages distribution of 2.5 ha of forest land to each nuclear family. This would be against the goal of the National Forest Policy of 1988 that looks at getting one-third of the country under forest.

Arguing against the bill from another angle, the ministry notes that failure on the development and welfare fronts cannot be compensated by distributing the natural resource base of the country as the bill proposes to do. Wildlife experts/ activists fear that access to the forest would harm wildlife, which is already under threat from urbanisation and deforestation. Conservationists call it a sell-out to vote-bank politics.

THE TRIBALS' CAUSE

At the outset, it is heartening to note that the bill recognises the 'historical injustice' done to tribals by the governments, both colonial and post-Independence, and their respective forest policies which denied them rights to the forest, excluded them from its management, and over-exploited the forests for commercial gains. One may not agree with all the provisions of the bill, but there is no denying that governments and societies must not only feel collective responsibility for injustice done to communities (castes or any other groups) but also attempt to atone for it in concrete ways. The bill must be supported as a significant step in the direction of establishing tribal rights in the forest within the larger perspective of greater involvement of all forest communities in the management, protection and regeneration of forests.

With respect to land, it must be clarified, the bill vests rights to forest land and forest produce only to those tribals who have occupied these lands before 25 October 1980. The 2.5 ha to be permitted to each nuclear family is only for livelihood and not for commercial purposes, inheritable but not transferable or alienable. It is important to note that in almost all cases, forest lands were taken over by the tribals to meet subsistence needs, and that they were already degraded before they occupied them. They have had de facto control over them, the bill will grant them de jure control, so they are spared the harassment and extortions by forest personnel and can carry on their livelihood with dignity.

With respect to the role of the gram sabha, it is not inconceivable that under pressure from economically and politically dominant factions and individuals, the gram sabha too may engage in irregularities. But given the fact that most tribals

do not possess any officially acceptable 'proof' or 'evidence' of their occupancy, the gram sabha is best suited to initiate action for determining and recording the rights to be accorded to the tribals. This is to be done in open meetings so as to ensure transparency and accountability and this doubtlessly, is a far more efficient and democratic way of functioning than channelling it through the bureaucracy.

Besides, the decisions of the gram sabha are not final, but subject to examination and approval in turn by subdivisional and district level committees. They have the authority to hear appeals against the gram sabha decisions and resolve intra- and inter-village conflicts. The record of recognised rights submitted by the district level committee is further scrutinised (through random checks) by the state level monitoring committee which would then submit its report to the nodal agency. This seems like an adequate safeguard enough.

Two fundamental issues raised by the debate, which underlie the positions taken by environmentalists, wildlife experts, activists and concerned citizens, relate to issues of forest and wildlife conservation and those of tribal rights to the forest. There are many assumptions which require close examination.

Our understanding of forest conservation and management in India is rooted in the scientific tradition of German forestry which the British employed to administer forests in India. The Germans were pioneers in scientific forestry and influenced forestry practices in large parts of the world. An important element of forestry in India, as elsewhere in nineteenth century, involved the almost complete exclusion of local people, who depended on the forest for their livelihood, from all aspects of management, which then became the responsibility of the forest department. Apart from serving the revenue interests of the colonial state, the department was to protect and propagate the forests, primarily the commercially valuable species in it, in the best scientific tradition by foresters who alone could be trusted with the business of forest management. With military personnel at its command, the forest department carried out the protection of forests effectively, excluding the forest communities who had drawn sustenance from the forest for centuries. Everywhere the department came to be known as the department of 'zulum', while more and more people were convicted for forest crimes. A large number of struggles by forest communities against the curtailment of their rights by the department continued to occur during the colonial period.

Debating Guardianship

After independence this trend continued as the forest department assumed more and more powers to manage forests for economic and ecological reasons. The forest communities have been perceived as thieves and it is believed that forests have to be protected from them. It is important to recognise that this attitude is deeply embedded in the psyche of the foresters, trained as they are in modern forestry, and in official consciousness that considers forests safe only with the presence of trained forest experts.

In India, the material reality does not, however, vindicate the claims of forest department and forestry experts. Besides converting mixed natural forests into

plantations, everywhere in India there is evidence of over-exploitation, neglect and denudation of forests. Taking the forests of Thane district in Maharashtra, with which I am familiar, as a case in point, there is evidence to suggest that mixed forests have been destroyed and not even good teak plantations have replaced them. A preliminary draft proposal for the revision of the working plan in one division, a confidential document, reads as follows, '... entire emphasis during the period of the plan, has been on "felling", i.e., exploitation of best material available, and the prescriptions which embodied the care and protective operations have been ignored.... The dream of converting the existing miscellaneous type of forests into valuable teak forest with the expectation of increasing the value of (the) forest by about 50 per cent has remained an illusion.' This is true for large parts of the forests in the country.

While the department continues to blame the forest communities for the destruction of forests, it is well established by now that it is the unholy nexus between timber traders, forest officials and politicians that has caused the depletion of the forest resources in India. If at all, the local people are the lowest link in this chain. When scientific interest is subordinated to short-term economic and political gains the results are dangerous. Nevertheless, the fact remains that the outlook which regards forest department as the sole guardians and managers of the forests continues to dominate modern forestry practice, although it is being increasingly challenged.

And this brings me to the role and rights of forest communities in the use and management of forests. Activists tend to imbue forest communities with a heightened ecological consciousness, using it as an argument for demanding greater forest rights for them. While there is some truth in the fact that those who are close to nature and depend on it for their survival do develop a culture of beliefs, myths, practices, symbols, systems of management and use as well as knowledge systems which regulates and guides their interaction with nature, there is a danger in this kind of essentialising. Because as we know, behaviour and values are liable to change when material conditions undergo change. For example, as a result of several factors, especially commercialisation of forests, the bond between the forest communities and forests has weakened substantially.

In a volume published recently *Globalisation and Indigenous Peoples in Asia*, edited by Dev Nathan, Govind Kelkar and Pierre Walter, studies from Nepal, India, China, show that apart from the fact that the tribals have a special feeling for nature around them, what really makes them protect their forests and rivers is the fact that such resources provide livelihood and sustenance to them. The 'critical capital' is protected by the people from predators, both outsiders and insiders. Combined with this is the fear of punitive action by the local and higher level administrative bodies in case of violation of rules. Experiences from Nepal and China have shown that long-term leases of forest land to the poorest tribal families along with other forms of assistance results in generating income for the families, protection of the natural resource, the overall development of other sectors and the region as the effects multiply. In such a situation privatisation serves the purpose of ensuring

non-market access to productive resources to the poorest households. Referring to Nepal's sucessful experiment with 'leasehold forestry', the authors argue that the results have been most encouraging. Forests have improved, both in terms of density and species diversities, people's incomes have gone up with substantial involvement of women in various activities related to leasehold forestry. In India, too, we have examples of successful protection and regeneration of forests by local communities when they can derive some benefit from it.

The general point being made is that recognition and establishment of property rights over lands already 'encroached' upon by tribal families, within controls, can be an effective way to create livelihoods for a large number of some of the poorest people in the country who otherwise have few options available to them. The argument of the MoEF that failure on welfare and development fronts cannot be compensated by distributing natural resource base of the country, can be turned around to say that what is needed for development, in the broadest sense, is not welfare but a more effective management of resources for creation of income and employment for the most marginalised. In underdeveloped countries like ours, conservation can succeed, not by excluding the local people by force, but by giving them a stake in preserving their environment and resources. As Lutz Faehser, a German forester experimenting with nature-oriented forestry in Germany observes, good ecology can be combined with good economics, and I would suggest, good development.

Protecting Forests

As far as protection of forests from land and timber mafia is concerned, it is unfair and unrealistic to expect the most vulnerable section of our population to do what the gargantuan forest department has failed to do. At the local level, several agencies including the forest department, gram sabha, villagers, and voluntary organisations working in the area, can be involved to check the abuse and misuse of forests. Considering the forests have also to be protected from the forest department, the forest communities can play an important role in checking tendencies like conversion of natural forests into commercially valuable plantations, over-exploitation, as well as theft by insiders and outsiders.

Finally, I wish to make the following point with respect to the millions of tribals, Dalits and forest people who continue to turn to the forest for a variety of subsistence needs. Given that conditions of chronic poverty and hunger are endemic to most tribal areas, and that a majority of them work in extremely unsafe and insecure occupations for below subsistence wages, which are often not paid, it is hardly surprising that they steal from the forest, or assist the trader and poacher to do so to earn a few extra hundred rupees. It is important to recognise that protection of forests and wildlife is closely linked to the livelihood situation of tribals and the other rural poor. Since forests are an important resource in rural India, it can be used for generating more employment and income for forest communities, whose knowledge and skills should be utilised not merely as labourers for felling trees and clearing the forest but for more productive functions. As a rule, forest communities

must be given rights and responsibilities in different kinds of forest-related activities such as the protection and regeneration of forests or the processing and marketing of forest produce. These can be worked out jointly by the departments of forest and tribal welfare, experts, voluntary organisations, local people, taking into consideration regional particularities and cultural specificies. Their skills can be updated so as to combine scientific knowledge with traditional knowledge and wisdom to ensure the efficient management of forests.

In countries like ours, except in very special cases, conservation can be carried out effectively only when people, who depend on a particular resource, are made partners in the management of that resource. There are innumerable instances where the behaviour of local people towards forests or wildlife has undergone radical transformation when they are given a stake in the protection and propagation of the same. The more sensitive among the forest and wildlife officials realise that the local people have to be taken into confidence if conservation is to succeed. For example, commenting on the declining tiger population in Chandrapur, Gadchiroli and Gondia in Maharashtra, Dilip Gode, member of the state wildlife advisory board and secretary of Vidarbha Nature Conservation Society, suggests that locals who are helping poachers should be motivated towards conservation. 'They (both Naxals and locals) should realise that humans and wildlife have coexisted for centuries so there must be a workable solution,' he observes. Forest officials admit that tribals help poachers for quick money because they are very poor. Long-term economic interest can and does become a strong motivation for protection of resources. But this requires a commitment to the welfare of nature as well as people, which is sadly lacking among those who are entrusted with the fate of both. Everywhere in the world people are demanding greater participation in matters of governance, the bill can be the first step in laying the foundation for a more democratic management of forests, without which neither the forests nor the forest communities will survive.

20

Implementation of the Forest Rights Act in the Western Ghats Region of Kerala*

Jyothis Sathyapalan

The Forest Rights Act (FRA), 2006, is considered an important landmark in the history of forest resource use and management in India. The Act aims at restoring traditional rights of forest-dwellers on the one hand, and maintaining the ecological balance on the other with a view to provide sustainable livelihood options to forest-dwelling scheduled tribes (STs) and providing other traditional forest-dwellers, including those who were forced to relocate their dwellings due to state intervention. Thus, the underlying objective of the Act has been to strike a balance between the potentially conflicting interests of the forest-dwelling communities and protecting forests and wildlife resources.

The Section 3 of the FRA recognises the traditional forest rights of the communities (who live in the forest) both at the individual and community levels. At the individual level, it recognises their rights, to hold a piece of forest land either for self-cultivation or for any other common occupation or habitation so as to ensure their livelihood. At the community level, it recognises their rights to access minor forest products other than timber, and to carry out fishing activities in water bodies besides traditional and seasonal access to pastoral communities and nomadic tribes for grazing, protecting community forests, accessing biodiversity and claiming intellectual property rights over traditional knowledge and cultural diversity.[1] The FRA also provides powers to the government for diverting forest land to build schools, dispensaries, anganwadies, fair price shops, electric and telecommunication lines, drinking water facilities, etc. However, the FRA makes it clear that the forest land, which can be diverted for other uses, is less than one hectare (for any single use) provided the felling of trees does not exceeds 75 trees per hectare.

* *Economic and Political Weekly* 45 (30), 24 July 2010.

Section 6 of the FRA gives the procedural details of implementation of this Act. Accordingly, the gram sabha is the authority to initiate the process of implementation by constituting a forest rights committee (FRC). Then the FRC decides the nature and extent of individual or community forest rights or both that may be given to the forest-dwelling communities under their jurisdiction. These procedures are examined by a subdivisional level committee which forwards the same to district level committees for final decision-making. It is also mandatory to have a state level committee to monitor the process of recognition and vesting of forest rights. All committees consist of members from the departments of revenue, forest and tribal affairs as well as members from local bodies.

The government of Kerala initiated the implementation process by constituting a state level committee to fix a time frame to complete various activities under the FRA, 2006. Accordingly, the state level committee envisaged a target date, 30 April 2009, for the completion of the implementation process. However, recent data from the government departments show that it could not achieve the target due to various constraints and that the process is still on with difficulties being found in tackling those issues. In this context, this study tries to examine the implementation process, and the associated 'action arena' of the FRA 2006 in Kerala. The main objective of this article is to identify important constraints involved in implementing the Act at the ground level, so that the state can take appropriate steps to minimise these constraints in terms of taking the implementation process forward.

Data and Methodology

The data for this study were collected from government records and the tribal hamlets through focus group discussions and survey methods. We conducted focus group discussions in 18 tribal hamlets of Kerala forests. The distribution of these tribal hamlets across different forest circles is presented in Table 20.1. In addition to that, we interviewed key officials from different departments associated with FRA implementation.

Conceptual Framework

Participants, Positions and Action Situation

The focal point of the analysis is the action arena of implementation of FRA that consists of 'participants' and an 'action situation'. Participants in an action situation are decision-making agents assigned to a position and capable of actions from a set of alternatives made available at nodes in a decision process (Ostrom 2005). Positions are the connecting links between participants and the action situation. The participants occupy different positions in the implementation process. Participants in many action situations are individual persons, or they may represent a team or composite actors. Here we have treated each government department as a group involved in the implementation of the FRA. In some situations, participants in any position may be authorised to take any of the allowable actions in the given situation.

TABLE 20.1: Distribution of Sample Households across Forest Circles

Name of the Tribal Hamlets	Number of Households	Forest Circles
Avanipara	10	Southern Circle
Pottamav	15	Southern Circle
Kurumbanmuzy	25	Southern Circle
Achancoil	15	Southern Circle
Elapeedika	50	Northern Circle
Perincherimala	10	Northern Circle
Periya	15	Northern Circle
Kunchipara	10	Central Circle
Tamaravellachal	10	Central Circle
Manchery	10	Central Circle
Anapandam	10	Central Circle
Poovanchira	10	Central Circle
Malakapara	15	Central Circle
Nenmara	15	Eastern Circle
Moolakombu	10	Eastern Circle
Vaniyampuzha	15	Eastern Circle
Elamplasery	10	High Range Circle
Chikkanamkudi	10	High Range Circle
Kurathikudi	10	High Range Circle

Source: The Kerala Forest Department.

However, in most 'organised' situations, the capabilities to take particular actions are assigned to specific positions and not all positions. The nature of position assigned to participants in an action situation defines the standing of the participants in that situation (ibid: 40–41).

Therefore, while examining the action situation of FRA, it is important to take a look at the 'standing' of each participant and how each participant is linked to the given action situation. In the present context, the participants involved in implementing the Act represent different government departments having a 'common purpose' under the FRA that assigns individual and community rights to the forest-dwelling communities. In a government set-up, they do not depend on the preferences of their own members and beneficiaries, and further, the activities are carried out by staff members whose own private preferences are supposed to be neutral. The important players in this process are the departments of tribal, forest, revenue and local self-government. The tribal community also plays a vital role in terms of articulation of their rights over forest lands. The basic characteristics of these departments are as follows.

The nodal agency, for implementing the FRA, is the department of tribal affairs, government of India. At the state level, this responsibility lies with the department of STs and SCs development in terms of carrying out various developmental schemes and monitoring of various plans related to tribal communities. It is also a major agency involved in the implementation of various other development programmes (meant for STs) that include educational concessions, scholarships to students, running schools and hostels, etc. In short, it has a relatively higher stake in the welfare of tribal communities.

The forest department is the second most important agency involved in implementing the FRA. Today, the 'tribal welfare', as an important aspect of forest management, is reflected in the recent management and working plans of the department, mainly as part of the participatory forest management (PFM) programmes. The department has an additional principal chief conservator of forests, exclusively for managing the eco-development and welfare of the tribal communities under the PFM programmes. The forest department is also one of the important sources of employment generation for the tribal communities through its afforestation and other eco-development programmes. As a result, it appears that the forest department occupies an important position in implementing the FRA without making any compromises on its main objective of the protection of forest resources; particularly given the fact that the Act envisages a marginal role for the forest department. In a sense, it is slightly different from the department of ST development as far as the implementation of the FRA is concerned.

The revenue department is one department that has a close interaction with the general public. Its main functions are related to maintenance of land records of the state and assignment of government lands to various categories of institutions and individuals. In the context of FRA implementation, it also takes on an equal responsibility along with forest and tribal development department. As per the FRA, the revenue department is expected to play an important role, after assigning forest rights to tribal communities, in terms of establishing revenue villages. It also carries out survey of lands to decide the size of land available to the tribal population. It plays not only a facilitating role in the implementation process, but also a future role in establishing forest villages.

With the decentralisation of political powers to local self-government institutions, local administration department has an important role to play in the formulation of policy and implementation of developmental works at the grass roots level. As mentioned earlier, the gram sabhas of the local self-governments play a quasi judicial role in implementing the rights. Our discussions with some of the officials at the state level revealed that their role was also limited to a facilitator. Finally, the tribal communities who are the ultimate beneficiaries of the Act differ in terms of various aspects that we will be discussing later. Their benefits from the Act depend upon how effectively they articulate their forest rights over land and other forest products.

The above said participants make decisions with respect to the implementation of FRA through various committees constituted at different levels of state administration.

At the bottom level, we have gram sabhas and FRCs which recommend the potentially eligible right-holders. The gram sabha is the critical institution in identifying forest rights of STs in a transparent and participatory manner. Its objective is to ensure that the basic identification of the forest rights takes place in an inclusive manner with everyone having a say before taking any collective view on the matter. This institution of interactive democracy, assumes a quasi judicial character under the Act (GoK 2008). In Kerala, because of various structural and socio-political constraints, (and keeping in view the larger interest of the tribal population), the gram sabhas are constituted at the tribal hamlet level for the purpose of implementing FRA. It is also recommended that the official machinery put in sufficient efforts to ensure maximum attendance at the gram sabhas so that fair elections can be conducted for selecting members to the FRCs.[2]

In the action situation, the second upper level committee is at the subdivisional level, headed by a sub-collector or a revenue divisional officer. Its official members could be forest range officers, tribal extension officers, under the jurisdiction of the revenue division. Usually, the block panchayat nominates ST members to this committee. This committee verifies and forwards application related to forest rights to the divisional committees for taking a final decision. The divisional level committee is headed by a district collector with the divisional forest officer representing the forest department and officials from tribal department. The progress of the implementation process is monitored at the state level by a state level committee consisting of the additional chief secretary, the principal secretary to SC and ST development department; director, survey and land records; director, ST development department; and additional principal and the chief conservator for eco-development and tribal welfare.

Factors Influencing the Action Situation

The factors affecting the structure of an action arena include a cluster of three variables: (a) the attributes of biophysical world, (b) attributes of the community within which any particular arena is placed, and (c) the rules used by participants (Kiser and Ostrom 1982). The concept of rule is central to the analysis of institutions used in a different sense. For some institutional scholars, the important difference among rules relates to the system of property rights in use (Bromely et al. 1992), e.g. government property, private property and non-property (open access). While a rule configuration affects all of an action situation, some of the variables of an action situation also affect attributes of the biophysical world being acted upon or transformed. The same set of rules may yield an entirely different type of action situation depending upon the type of events in the world being acted upon by participants. The third set of variables that affect the structure of action arena relates to the concept of community within which any focal action arena is located. The attributes of the community that are considered important in terms of affecting action arena include the value of behaviour generally accepted in the community, the level of common understanding about the structure action participants generally share, the extent of homogeneity in the preferences of those living in a community,

the size and composition of the relevant community and the inequality of basic assets among those affected (Ostrom 2005). Finally, the implementation of FRA may interact with the other acts, which are concerned with resource management, land use and tribal welfare. In this respect, the most important ones are the Acts related to forest conservation and protection such as the Wildlife Protection Act 1972 and the Forest Conservation Act, 1980. Both these Acts are important in that they deal, not only with the conservation of forest land resources, but also empower the forest department as a guardian or a custodian of the natural ecosystem. Here we attempt a partial analysis of the possibilities of an interaction between these Acts, while highlighting the complementarities of FRA and other rules pertaining to forest administration. On the basis of this theoretical perception, the present action situation of implementing the FRA can be traced by explaining the role of bio-geographical characteristics of the area (Western Ghats), various attributes of tribal communities living in the area, besides various rules applicable to the area, especially for the use and management of land.

Results and Discussions

The first part of this section explains the action situation of assigning individual and community rights to the forest-dwelling communities under the FRA. The second part of this section deals with the factors that influence the action situation in terms of implementing FRA, with an objective to identifying the important constraints involved in implementing this Act. This part covers factors that relate to the biophysical and material conditions of the Western Ghats region, attributes of the tribal community that can affect the implementation procedure, and finally, the interaction of FRA with the Forest Conservation and Wildlife Protection Act and the department's attitude towards implementing the Act.

Lack of Common Interests and the Resultant Conflicts

We have already mentioned that the process of implementation starts from the bottom, namely, gram sabhas.[3] The government permitted the gram panchayats to utilise up to Rs 5,000 towards the expenses involved in conducting elections to the FRCs. Following the recommendations of the FRCs, gram sabhas demarcate the land and forward the facts to the subdivisional and divisional level committees for taking the final decision. An estimate, as on March 2009, shows that 504 FRCs have been formed in Kerala (see Table 20.2). The table shows that approximately 85.45 per cent of the total claims were filled. These claims spread across 1,086 tribal settlements of the state in which 742 settlements filled all the claims. The available data show that the first step, constituting gram sabhas and filing claims, has progressed significantly in the state (see Table 20.2).

The second stage of implementation relates to proper verification of claims and survey of lands. This is the stage where all practical issues crop up. For example, the survey operations started in the settlements of Wayanad district in the first week of

TABLE 20.2: Details of Claims of Land Received under FRA

Name of District/ ITDP	Total Claims to be Filed	Claims Filed So Far	Percentage of Claims Filed to Total Claims
Thiruvananthapuram	5,500	4,855	88.27
Kollam	1,056	1,056	100.00
Pathanamthitta	1,309	967	73.87
Kottayam	1,339	1,240	92.61
Idukki	12,300	10,083	81.98
Ernakulam	1,290	704	54.57
Thrissur	1,322	1,115	84.34
Malappuram	1,377	981	71.24
ITDP Attapadi	2,100	1,868	88.95
TDO, Palakkad	1,354	1,363	100.66
Kozhikkode	19	19	100.00
ITDP Wayanad	1,811	1,291	71.29
TDO Mananthawady	1,668	1,668	100.00
TDO Sulthanbathery	3,289	3,289	100.00
Kannur	1,266	1,117	88.23
Total	37,000	31,616	85.45

Note: ITDP is integrated tribal development programme; TDO is tribal development office.
Source: Department of Tribal Development, Government of Kerala.

December 2008, did not progress satisfactorily due to unavailability of sufficient survey personnel and increase in the number of settlements at the time of survey.[4] It is reported that the department distributed a total 2.05 acres of land to a few tribal families. On an average, they received 30 cents of land per family. This data shows that tribal communities are given only small parcels of land which fall below the one acre norm. While issuing the legal titles (patta) to the forest-dwelling communities of Wayanad, the government made it very clear that it was a 'provisional patta'. This happened due to delays in conducting meetings at the district and divisional levels with regard to issuing of pattas.

We have already motioned that the stake involved the implementation process of the FRA varies across different departments due to differences in their objectives and perceptions. Our discussions with officials from tribal, forest and revenue departments revealed that each department interpreted the provisions of FRA keeping in view of their own objective as a base. For example, the tribal department officials said that the FRA is an exclusive programme for the welfare of the communities. They expect the FRA to be implemented like any other tribal welfare programmes of the country. They also opine that the forest department should facilitate the implementation process without having to face any constraints.

The revenue officials pointed out that one of the recent events that caused delay in survey operations due to the interference from the forest department. The survey operations of Wayanad district started with proper directions from the officials, but got delayed due to the interference of forest officials. Since its beginning, there were apprehensions from the forest department and environmentalists.

The forest department expects the implementation process to be a part and a continuation of the present national conservation policy (1988). The 1988 policy has assumed importance in the wake of widespread debates about conservation and development. The socio-economic role of the natural ecosystem has been unequivocally accepted in this policy. The role of forests in protecting the well-being of forest dependent communities has been recognised for the first time in the forest policy of India. It has also conceived people's involvement and some protection for customary access rights, though with some riders linking the access rights to the carrying capacity of the forest. There is also some conception of capacity-building among forest communities and regenerating forest through silviculture (Sen and Lalhrietpui 2006). This policy has given rise to a concept called participatory forest management in Kerala since 1990. Therefore, it is argued that the FRA 2006 is a continuation and natural evolution of our conservation policy (Unnikrishnan 2009). Therefore, one may conclude that the potential reasons for these conflicting attitudes arise from the original policy framework of the respective departments. It is also very important to note how far the present action situation of implementing the FRA has been integrated with the forest rules and governing system. This will be an important aspect that will definitely help reduce the high coordination cost of implementing this programme. The slow response from other departments like revenue and local self-governments also sometimes, delay the action situation, further, resulting in inaction, (for example, slow survey process, difficulty in identifying land boundaries, etc.). As a result, the process of implementation of FRA shows a slow progress in Kerala so far, lack of coordination between various departments at the operational level and conflicts.

Factors Influencing the Implementation Process—Biophysical Factors

Any discussion on the implementation of FRA in the Western Ghats region without due reference to the biophysical and material conditions of the forest ecosystem may lack in rigour. The Western Ghats region of Kerala covers approximately an area of 21,861 sq km (56.25 per cent of the total geographical area); administratively, the forest area covers about 9,400 sq km, with a maximum elevation of 2,670 mts (Nair 1991). Considering areas of 1,500 metres and above mean sea-level, the Western Ghats region, has two major high elevations, namely, the Nilgiri plateau and the Anamalai high range. At present, the upper reaches of these mountains are thickly forested and the lower ranges fragmented with plantations specialised in the cultivation of varieties of plants such as teak, eucalyptus, etc. (Narayanan 1996). The forest area of this region also has high biodiversity values (Sathyapalan 2002). A summary of the basic biophysical characteristics of the Western Ghats region has been presented in Table 20.3.

TABLE 20.3: Characteristics of Western Ghats Region, Kerala

Particulars	Explanation or Magnitude
Administrative forest area	9,400 sq km
Latitude	8° 30' N E to 12° 30' N E
Longitude	75° 15'E to 77° 45' E.
High elevation areas	Nilgiri and Anamalai
Maximum elevation	2,670 metre
Soil	Alluvial, red and lateritic soil
Climate	Monsoonal
Average rainfall	3106 mm
Total flowering species	3,500
Mammals	48 genera
Birds	275 genera
Reptiles	60 genera
Total tribal population	3,64,189

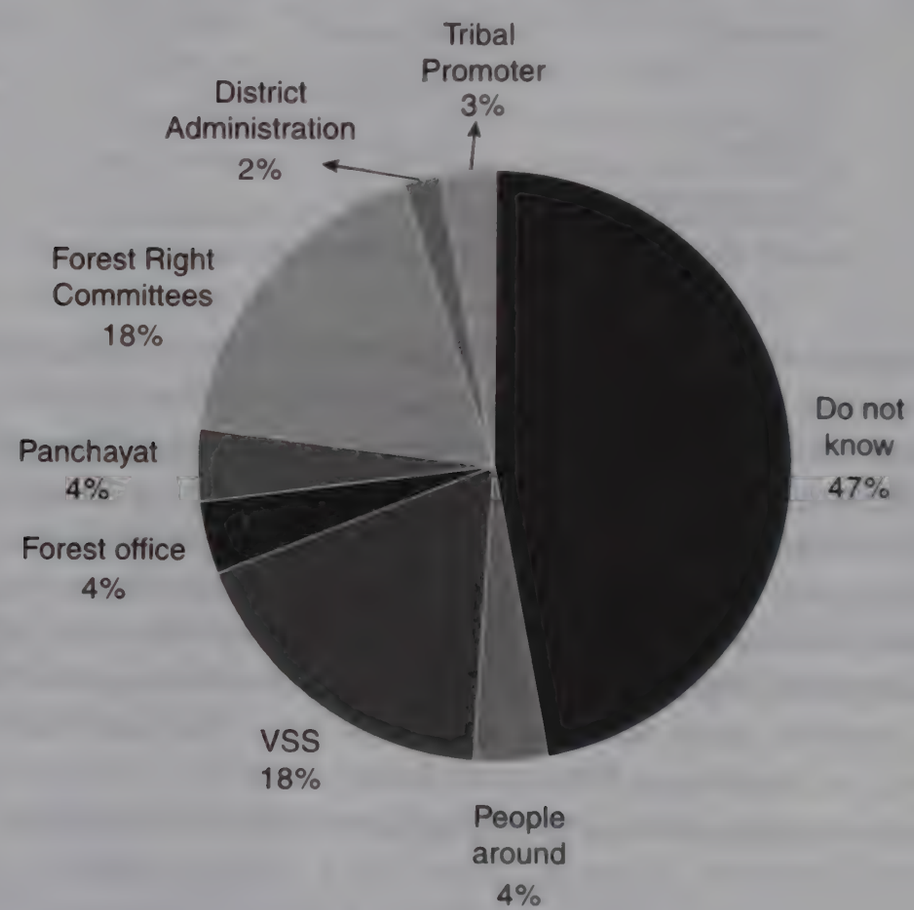
Source: Nair 1991 (Ramesh and Bawa 1997), Census of India 2001.

There are approximately 37,000 families living in different tribal hamlets which are scattered across the Western Ghats region. Many of these hamlets are located quite far from the headquarters of their respective panchayats. Therefore, the first constraint the implementing agency faced was in terms of organising gram sabhas at the ward level for constituting FRCs.[5] The tribal communities are not able to represent adequately the gram sabha meetings due to hilly terrain and scattered nature of tribal hamlets and interior locations. In order to protect the larger interests of the tribal communities, the government considered various options before finally deciding to organise gram sabhas at the hamlet level. The government issued an order in favour of constituting FRCs at the hamlet level.[6] The issuing of government order was an important move in reaching out to tribal communities during the implementation process. Although there was a proper guideline in place for constituting the FRCs, we could not observe a properly constituted FRC in any of our sample hamlets during our field visits. We found practical problems existing in many of these hamlets, especially with regard to organising FRCs, e. g., passing on information to people, inaccessible locations, etc. The picture is not different in cases of divisional and district committees as far as the functions and the process of implementation are concerned.

Second, information regarding the provisions of the Act has not been conveyed properly to many hamlets due to various location-specific disadvantages. For example, information regarding the filling up of claims did not reach many hamlets due to distance farther from panchayat headquarters. A survey conducted across the sample households showed that nearly 47 per cent of the tribal households had never heard of this Act. Of the people who heard about the Act, a very few

were found aware of the community rights related to the collection of minor forest products. Here comes into picture another important issue which is very much linked with their present livelihood system, that is, the collection of minor forest produce and right to sell these products. At present, the forest department takes up on itself the responsibility of assuring these rights through their PFM programmes. But, how far the PFM programme is integrated with the FRA is to be further analysed. Nonetheless, it is important to note that 18% of the tribal communities in our sample had heard about FRA from the vana samrakshana samities (VSS) and 4% from the forest department. Other sources include FRCs (18%), panchayat (4%), district administration (2%) and tribal promoters (3%) which are given in Figure 20.1.

FIGURE 20.1: Source of FRA Information



High Anthropogenic Pressure on Forest Land and Individual Land Rights

The high anthropogenic pressure on forest lands, in the past, was due to various reasons starting from post-World War food insecurity which led to 'grow more food' campaign to high immigration in forest areas. The conversion of forest lands to other land use purposes always ended up in deforestation. The literature related to deforestation in the area of Western Ghats shows that this area witnessed a high deforestation rate (Chattopadyay 1985; Ramesh and Bawa 1997) in the past. Since the Western Ghats region lies in the high land and high range ecological zones of Kerala, the conversion of forest tracts took place mainly to grow cash crops[7] like

rubber, pepper, cardamom, etc. The negative impact of this historical process of deforestation was felt by the tribal population. They became vulnerable to poverty trap in the absence of the basic factor of production, land, and gradually, the subsistence base of the tribal community got further eroded. They began to migrate seasonally to urban areas in search of work. Many tribal people lost their rights to collect and sell minor forest products. Deforestation reduced their accessibility not only to forest sources of food, fuel and fodder, but also to certain things essential for daily life like twigs of neem for cleaning teeth, leaves for making disposable plates, bamboo for constructing huts, and weaving baskets, grass for making brooms and plants and their products for preparing herbal medicines. Tribal women are the worst sufferers (Kalathil 2004). This shows clearly that there is no sufficient biophysical base for the tribal communities to undertake self-cultivation or any other productive activities. We have already observed that in the recent individual allocation of land, the government could provide only 30 cents for each family. Although it provides a base for their living, it is very doubtful, whether it can support the livelihood of a family. In such a case, how do we ensure the livelihood of the forest-dwellers? The only hope lies in community rights over using minor forest produce.

Community Rights over Minor Forest Produce and the Duty of Right Holders

Our observations in the field show that the community rights have remained largely invisible in the implementation process due to various reasons. Assignment of community rights is very important in ensuring a sustainable livelihood for the forest-dwellers since most of the tribal communities living inside and on the fringe of the forest area largely depend on minor forest produce for their livelihood. Today most of the communities, especially those who live in protected forest areas, do not have the legal rights over the use of forest, their de facto access rights lie with the community as a whole rather than individuals or households (Sathyapalan 2002). In many cases, community rights are considered as more equitable since all households within the community, including the poor and landless can have access to forest products. But, we found that this part of the FRA got relatively less importance in the implementation process.

In a similar fashion, the institutional process of executing FRA has diluted the implementation of 'duties' provision in the Act. Our field observations show that none of the right-holders is aware of the duty provision of the Act. Some of them opined that the community rights and duty provision had already been implemented through various PFM programmes. If that is the case, so far there is no attempt to find out whether it can be integrated with the present PFM activities. In a preliminary assessment, we have come to know that there are chances of synergies if we considered the PFM programmes in an integrated manner, while implementing the FRA. This will also help communities use some provisions of the FRA to support conservation efforts and manage forests as a community activity. The assignment of community rights can be taken as the connecting link between PFM and FRA implementation; then the department of forest will handle more responsibility

and an equal role with the tribal development department in implementing the FRA. This aspect has to be utilised for generating more synergies with respect to community rights and sustainable livelihood of the forest-dwellers. An effective coordination between forest department and other government agencies is a must to achieve the objectives of the programmes more efficiently. This approach may also help us place the forest department in a proper 'position' with more responsibilities while implementing the FRA. However, we have found that community rights and 'conservation duty provisions' have been taken for granted and that no one has got a clear idea about the implementation of this aspect of FRA.

Attributes of the Community

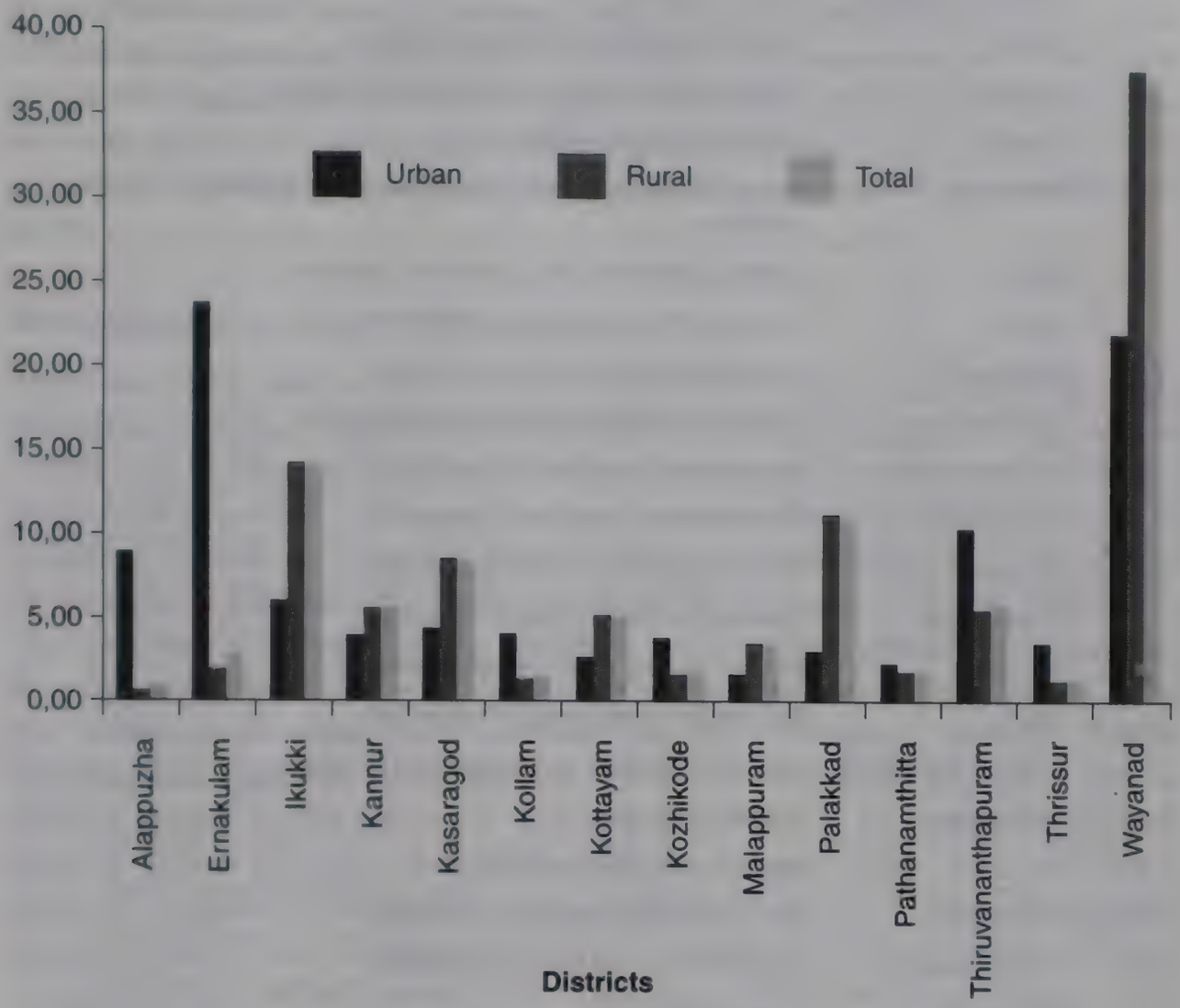
The attributes of the community is another set of variables that affect the action arena of implementing the Act. The concept of community is one that has many definitions and contextual meanings across social sciences. The attributes of a community that generally affect the action arena are the size and composition of the relevant community, the extent of inequality of basic assets, common understanding of the action programme that is generally shared, behavioural issues, etc. (Ostrom 2005). As far as the size of the community is concerned, we have 35 tribal communities, notified in the list of STs of Kerala accounting for about 1.10% of the total population. As per the Census 2001, the total population of tribal communities in Kerala stood at 3,64,189. The total population of the tribal community has grown 13.46 per cent during 1991 and 2001. The ST population is mainly concentrated in the Western Ghats forest areas of Wayanad, Idukki, Palakkad and Kasaragode districts of Kerala. Approximately, 36 per cent of the total tribal population of the state is concentrated in Wayanad district alone (see Figure 20.2).

The cultural practices of these populations vary across communities. From an occupational point of view, the tribal communities are classified into four categories: (1) hunters and gatherers, (2) agriculture labourers, (3) shifting cultivators, and (4) settled cultivators. However, today majority of the tribal population are landless agriculturists. A communitywise traditional occupation of the tribal population is presented in Table 20.4. It reveals that a majority of the tribal communities are engaged in traditional occupations like minor forest produce collection and manual jobs. Considering the importance of minor forest produce for their livelihoods, it is very important to take appropriate steps for recognising the community rights, but unfortunately it has taken a back seat in the implementation process. The composition of communities also indicates that they are not a homogeneous group with many of them are belonging to primitive category.

In Kerala, Cholanaikan, Kattunaikans, Kurumbas, Kadars, Koranga, etc. are classified as primitive tribes. They constitute nearly 5 per cent of the total ST population of the state. We have observed that as some of the primitive tribes like Kadar go to forest for many days, they are excluded at the time of filling forest rights claims. So the information did not reach to Kadar and Cholanaikan communities.

Another issue that cropped up during the focus group discussions was with respect to the forest rights of the communities who got married to non-tribal people.

FIGURE 20.2: Distribution of Scheduled Tribes Population across Districts (in percentages)



There were also queries regarding the transfer of rights to kin of the people who got married to other communities. In this regard, government had taken a stand that there was no provision in the Act to bar the registration of the forest rights conferred under the Act, jointly in the name of both the spouses, who belonged to different castes, provided the applicant should be a ST, if not a scheduled tribe fulfil the criteria of other traditional forest-dwellers.[8]

Community Understanding about the FRA Implementation

In order to sensitise the communities to the implementation programme of the FRA, tribal promoters were recruited to the FRCs. They were trained by the state government research and training institution called Kerala Institute for Research, Training and Development of Scheduled Castes and Scheduled Tribes (KIRTADS).[9] But they could not reach out extensively to the entire tribal areas of the state to impart the information due to various reasons such as limited number of trained personnels, hilly terrain, etc. The primary data collected for this study shows that many people are still unaware of the provisions of the Act and its potential benefits (see Figure 20.1).

TABLE 20.4: Communitywise Main Occupation of ST Population in Kerala

Tribal Community	Main Occupation
Adiyan	Traditionally slaves, but today labours.
Arandan	Traditionally nomadic hunters and gatherers
Iravallan	Traditionally agricultural labours
Hil pulaya	Agriculture labours and non-timber forest product collectors
Irular	Settled cultivators and agriculture labours
Kadar	Non-timber forest product collection
Kammara	Non-timber forest product collection
Kanikkaran	Settled cultivators and agriculture labours
Kattunayikkan	Non-timber forest product collection
Kochuvelan	Non-timber forest product collection
Kondakapus	Non-timber forest product collection
Kondereddi	Non-timber forest product collection
Koranga	Basket-making and agriculture labours
Koda	Non-timber forest product collection
Kudiya, Melakkudi	Settled cultivators and agriculture labours
Kurichiyan	Settled cultivators
Kuruman	Settled cultivators and labours
Kurumban	Non-timber forest product collection
Mahabalasar	Non-timber forest product collection
Malaarayan	Settled cultivators
Malapandaram	Non-timber forest product collection
Malavedan	Non-timber forest product collection
Malakkuravan	Non-timber forest product collection
Malayan	Non-timber forest product collection
Malayarayar	Non-timber forest product collection and agriculture
Mannan	Settled cultivators
Marati	Agriculture and labour
Mudhuvan	Non-timber forest product collection and farming
Pallayian	Labour
Palliyan	Labour
Palliyar	Labour
Paniyan	Agriculture labour
Ulladan	Non-timber forest product collection
Urali	Hunters and gatherers

Source: Kerala Institute of Research Training and Development Studies (KIRTADS); and personal observations.

We have found that only 2% of the sample tribal households got information from the tribal promoters. They generally passed on the information to them orally, with no communication found in writing form.[10] The tribal communities also faced difficulties in communicating with one another. No interpersonal communication was found among primitive tribes regarding the provision of the Act. It is important to devise an effective mechanism to impart information about the FRA to the tribal communities so that communities will become more empowered to articulate their rights.

Behavioural and Other Political Issues

There are many studies and reports that provide a clear understanding of the behaviour, customs, religious beliefs of south Indian tribal population such as Luiz (1962) and Mathur (1977). These studies point out that many primitive tribes of south India depended in the past to a large extent on the minor forest products for sustaining themselves. Today, the forest department records show that a large number of the tribal population still depend on minor forest produce for their livelihoods. The practice of collecting these products varies across different communities. It is important to devise a mechanism to assign rights under the FRA. During our fieldwork, we came across communities like Kurumbas, Korangas, Kadars, Kattunayikkans and Cholanaikans, who have been classified as primitive tribes and illiterate people. In the process of implementing this Act, no serious thought was given as to how effectively their rights could be assigned. Here, it is important to point out an earlier argument (Sen and Lalhrietpui 2006) that in the implementation process, it should have taken into account the various cultural constructions of forest-human interface and local specificities to ensure that FRA spreads its benefits evenly and it adequately reaches the disadvantaged. Another important issue that we have come across is related to the behaviour of landless tribes. In response to the injustice done to these tribal communities, adivasi movements were started in Kerala. The recent adivasi movements have organised strikes to get their lost land back. This has created immense political pressure in Kerala to implement the FRA in favour of them. As a result, the land rights of the landless tribes have become a crucial issue in government and bureaucracy deliberations. In our interviews with many government officials and politicians, we understood that earlier also this was an important issue from the political angle, but was difficult to resolve while implementing the FRA.

Other Rules and Regulations

The preamble of the FRA says the Act aims at strengthening the conservation regime of forests. There are many other Acts directly or indirectly linked to conservation. The most important of them is the Indian Wildlife Act, 1972. This Act supports preservation of forest land with a well-defined objective, namely, preserving wild flora and fauna for protecting biodiversity.[11] In Kerala, the Indian Wildlife Act (1972) was implemented in 1973 through an order (GSR 293 E) of the central government. In addition to the rules of Indian Wildlife Act, 1972, the government

of Kerala enacted certain rules with respect to wildlife protection, called the Kerala Wildlife (Protection) Rules, 1978. The important policy changes in the subsequent years with respect to the conservation of forests relate to the Forest Conservation Act, 1980, the Kerala Preservation of Trees Act, 1986, and the Kerala Forest Produce (Fixation of Selling Price) Act, 1978. Moreover, the Supreme Court's ban on the clear felling of trees in 1982 and selective felling from 1987, also favoured conservation of forests in the Western Ghats of Kerala. As a result, more forest area has been brought under protection over a period of time in this region since 1950. But still many people are found living inside the forest areas, which are reserved for the purpose of wildlife protection. An estimate based on the current management plans of the Kerala forest department shows that nearly 109 settlements are located in critical wildlife habitats having approximately 1,396 families (Table 20.5, p. 72). The total area for these settlements comes around 1,208.77 hectares of land. This is an important issue, where the participation of forest department in implementing the Act is warranted. In this context, it is important to ask again: how much relative control ill communities and officials have? What customary rights and benefits would be ensured? What level of conservation will tribal communities have to ensure in return? (Kothari 1996). It is also important to remember that most of the communities living inside the protected areas are nomadic and primitive tribal groups, living completely cut off from the mainstream people. Considering the present geographical locations and characteristics of these communities, it is very important to devise a proper coordination between all government departments including the department of forest, to keep such critical wildlife areas out of bounds for all development activities in the true spirit of the FRA.

CONCLUSIONS

Of late there has been a growing realisation that without the active participation of the forest-dwellers (particularly, forest-dwelling STs and other traditional communities), it will be extremely difficult to achieve the main objective of biodiversity conservation. In addition, this issue assumes greater importance, in the context of globalisation. The government of India, realising the importance of recognising the forest-dwellers rights over the forest land and minor forest products, enacted the Forest Rights Act in 2006, which aims at restoring the traditional rights of forest-dwellers and maintaining ecological balance. Kerala happens to be one of the states which has begun the implementation process of FRA at the expected time. Keeping in view the above-mentioned issues, this study has tried to identify the actual constraints involved in the implementation of the FRA in Kerala. The basic constraint to implementing the Act is a lack of co-ordination between government departments, because each department tries to take a 'stand' that is based on its original mandate and objectives of the department and 'set of rules' in a given action arena. For example, the forest department considers the implementation issue as a continuation of the Forest Conservation Policy, 1988, while it is a tribal welfare issue for the department of tribal affairs. The local bodies and survey department perceive

TABLE 20.5: Distribution of Tribal Settlements and Families in Protected Areas

Protected Areas	Number of Settlement	Number of Families	Area of Settlement (ha)	Remarks about Data
Neyyar wildlife sanctuary	18	392	–	Extent not available in the Plan
Peppara wildlife sanctuary	13	192	–	Extent not available in the Plan
Agasthyavanam biological park range	–	–	–	Working Plan not available.
Shendurny wildlife sanctuary	0	0	0	No settlement as per Plan
Periyar tiger reserve	3	–	239.74	Family nos not available in the Plan
Idukki wildlife sanctuary	12	–	711.26	Family nos not available in the Plan
Thattekkad bird sanctuary	0	0	0	No settlements as per Plan
Eravikulam national park	1	40	–	Extent not available in the Plan
Chinnar wildlife sanctuary	11	417	–	Extent not available in the Plan
Parambikkulam wildlife sanctuary	6	277	34.27	
Peechi-vazhani	2	78	115.00	
Chimmony wildlife sanctuary	1	–	7.00	Family nos not available in the Plan
Wayanadu wildlife sanctuary	42	–	101.50	Appr 100 ha of leaseland with tribes
Silent valley national park	0	0	–	No settlements as per Plan
Aralam wildlife sanctuary	0	0	–	No settlements as per Plan
Total	109	1,396	1,208.77	

Source: Data compiled from the present management plans of the protected areas in Kerala. Forest Department, Government of Kerala.

their role mainly as a facilitator. Although the gram sabhas are the most empowered authority in the implementation process, they seem to wait for directions from the higher authorities. Due to various biophysical and community-related factors, the process of implementation got delayed and the signs are that it may drag on in future also. The reasons for this slow-down can be attributed to unawareness of tribal community regarding the provisions of the Act and their inability to articulate their rights. Community rights and conservation duty provisions seem to be completely ignored in the process of implementation of FRA. The study also highlights the

importance of integrating the implementation of FRA and PFM by providing community rights over the use of forests products. Our observations also reveal that there is a need for sensitising the communities to various provisions of the FRA.

Notes

1. For more details (of these rights), refer to Section 3 of the Forest Rights Act, 2006.

2. Details regarding the procedure of selecting members to the forest rights committee are available in the report of the working group for implementing the FRA in Kerala (GoK 2008).

3. Gram sabha is the critical institution in identifying the forest rights of STs and other forest-dwellers in a transparent and participatory manner. Its objective is to ensure that the basic identification of forest rights is inclusive with everyone having a say before taking a collective view on the matter (GoK 2008).

4. The reasons for increase in the number of settlements have to be further explored. The available data is not sufficient to explain this increase.

5. In Kerala, gram sabhas are constituted at panchayat ward level.

6. GO(Ms)No. 82/2008/SCST DD Dated 26 July 2008.

7. Kerala Agriculture University divides the agricultural land of Kerala into four different agro-ecological zones based on elevation, rainfall and temperature—each of these zones varies in terms of crops and production. The zones are lowland (elevation 0–7 metres), midland (elevation 7–75 metres), highland (elevation 75–750 metres) and high ranges with elevation above 750 metres. In the highland and high ranges the important crops grown are rubber, pepper, cardamom, cashew, etc. (KAU 1989).

8. Personal discussions with officials of the department of STs and SCs development.

9. It is reported that training for 338 tribal promoters was organised by KIRTADS on various days from 19–28 November 2008. KIRTADS has also organised training for all officers of the STs' development department at the Kerala Institute of Local Administration on 22 December 2008.

10. This is also due to illiteracy of tribal communities.

11. Preservation means keeping the natural forest as it is to achieve certain well-defined conservation objectives sometimes combined with recreation activities, such as, national parks and wildlife sanctuaries.

References

Bromely, D. W., D. Freeny, M. McKean, P. Peters, J. Gilles, and R. Oakerson. 1992. *Making the Commons Work: Theory, Practice and Policy.* San Francisco: ICS Press.

Census of India. 1991. General Population Tables, Kerala (Series 12). Directorate of Census Operation. Thiruvananthapuram: Government of Kerala.

———. 2001. *Census Data Online.* Viewed on Tuesday. 8 September 2009. http://www.censusindia.gov.in/Census_Data_2001/Census_Data_Online/Population/ST_Population.

Chattopadyay, S. 1985. *Deforestation in Parts of Western Ghats Region (Kerala).* Thiruvananthpuram: Centre for Earth Science Studies.

GoK. 2008. 'Report of the Working Group on Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006'.

Unpublished Government Document. Department of Scheduled Tribes and Scheduled Castes Development. Thiruvananthapuram: Government of Kerala.

Kalathil, M. J. 2004. 'Withering Valli: Alienation, Degradation and Enslavement of Tribal Women in Attappady'. Discusion Paper, Kerala Research Programme on Local Level Development. Thiruvananthapuram: Centre for Development Studies.

KAU. 1989. 'National Agriculture Research Project: Status Report of the Southern Region'. Project Report. Thrissur: Kerala Agriculture University.

Kiser, L. L., and E. Ostrom. 1982. 'The Three Worlds of Action: A Metatheoretical Synthesis of Institutional Approaches'. In *In Strategies of Political Enquiry*, ed. E. Ostrom. Beverly Hills CA: Sage, pp. 179–222.

Kothari, Ashish. 1996. 'Is Joint Management of Protected Areas Desirable and Possible?'. In *People and Protected Areas: Towards Participatory Conservation in India*, eds Ashish Kothari, Neena Singh and Saloni Suri. New Delhi: Sage.

Luiz, A. 1962. *Tribes of Kerala.* New Delhi: Bharatiya Adimjati Sevak Sangh.

Mathur, P. 1977. *Tribal Situations in Kerala.* Thiruvananthapuram: Kerala Historical Society.

Nair, Sathesh Chandran. 1991. *The Southern Western Ghat: A Biodiversity Conservation Plan.* New Delhi: Indian National Trust for Art and Cultural Heritage.

Narayanan, N. C. 1996. 'Land Use Interventions in Fragile Slopes of Kerala and Sustainable Livelihoods: A Case Study of Adivaram, Western Ghats'. Kerala Workshop on Land Use Dynamics in Kerala: An Actor-Oriented Approach. Thiruvananthapuram: Centre for Development Studies.

Ostrom, Elinor. 2005. *Understanding Institutional Diversity.* New Jersey: Princeton University Press.

Ramesh, B. R., and S. M. Bawa. 1997. 'A Vegetation Based Approach to Biodiversity Gap Analysis in the Agastyamalai Region, Western Ghats, India'. *Ambio* 26 (8): 529–36.

Sathyapalan, Jyothis. 2002. 'Economics of Biodiversity Conservation: A Case Study of Western Ghats Regions Kerala'. Unpublished PhD thesis. Bangalore: Institute for Social and Economic Change.

Sen, Arnab, and Esther Lalhrietpui. 2006. 'Scheduled Tribes (Recognition of Forest Rights) Bill: A View from Anthropology and Call for Dialogue'. *Economic and Political Weekly* 41 (39): pp. 4205–09.

Unnikrishnan, P. N. 2009. 'Forest Act, Forest Rights Act and Forest Administration'. Unpublished Report, Kerala Forest Headquarters. Thiruvananthapuram: Government of Kerala.

21

Fire in the Forest*

Mahesh Rangarajan

Few issues have polarised articulate sections of the media as the proposed tribal bill has. It is difficult to think of any issue related to conservation that has revealed such a deep chasm between advocates of adivasi land rights and those who favour continued retention of the lands they lay claim to under the state forest departments.

For a while earlier this year, an irresistible force seemed to have met with immovable obstacles. Strident criticism by a section of preservationists led to a rethink by the union government. Among the critics was the Indian Forest Service (IFS), which is charged with administering a vast land acreage of 23 per cent of the country's land area. The IFS is not keen to see any diminution of the area under its control. The former, including middle-class voluntary organisations, emerged in alliance with the forest service bureaucracy. In fact, the latter's powers were and are seen as a shield against ecological decline. A third and distinct though overlapping group requires careful attention which it rarely gets. It consists of biologists with concerns about biological integrity, vanishing species and endangered ecosystems. The ministry of tribal affairs went so far as to solicit opinions and views from across the country. For a while it looked like the measure may be put on the back-burner.

But pressure from the ground has told on the ruling United Progressive Alliance (UPA) MPs. The pledge to put a halt to the forced displacement from forest areas was explicit in the Common Minimum Programme drafted by the UPA and the Left parties after the May 2004 general elections. Unlike in the case of the Mandal Commission or the reservation of seats in legislatures for women, there is no significant electoral constituency opposed to the bill. This should not detract from the determined bid of urban middle-class groups to act as a lobby against tenurial reform, which is what the bill mainly amounts to.

The very composition of the Tiger and Wilderness Forum, which had a disproportionate number of MPs from former princely houses, was a pointer to this.

---

* *Economic and Political Weekly* 40 (19), 19 November 2005.

It cannot escape any observer of Indian politics that most princes were avid big game hunters themselves. Madhav Maharaj of Gwalior, whose descendants are active in the two largest political parties personally shot dead as many as 700 tigers. In fact, the Forum's own meeting in April was followed by some careful public intervention by its chair, Karan Singh, who clarified it had nothing against tribal rights and only sought to reconcile these with the objectives of conservation.

It is a matter of public record that Karan Singh was union health minister during the Emergency while he was also chairman of the Steering Committee of Project Tiger. No one who knows the political history of north India needs to be told how the public policies he piloted damaged civic life and even the public image of Indira Gandhi. Be that as it may, it is notable that a far larger number of MPs from reserved constituencies publicly spoke out for such a measure. This is an issue that requires careful consideration. The forcible sterilisation of the poor had a central role to play in the rout of the Congress. This was paralleled by not only forcible dislocation in Delhi but by displacements from Tiger Reserves, the social consequences of which have remained to this day part of the deep alienation of several uprooted communities. While Karan Singh has chosen to serve in the indirectly elected Rajya Sabha, his colleagues who are in the Lok Sabha or vidhan sabhas by popular election cannot be so impervious to ground level concerns.

Fresh Look at Rights

But the UPA chairperson and the political leadership took a much more supportive view of the proposed legislation. There is a background and history to this stance. In 2003, Mani Shankar Aiyar (2003) had singled out unimaginative and stringent implementation of the Forest Conservation Act of 1980 (amended 1988) as a major factor fuelling the growth of Left-wing extremism in forest tracts in several states. He further noted the growing adherence of large section of ST youth to the front organisations of the Sangh Parivar. The call for a fresh look at the issue of adivasi land rights did not spring from a vacuum but was rooted in the desire of the Congress and allied parties to recover lost ground among an increasingly assertive section of the citizenry.

In fact, the contrast with two previous Congress governments could not have been greater. In 1982, only a large campaign by groups like the People's Union for Democratic Rights (PUDR) prevented the government from bringing forward a draft bill that would have expanded the powers of forest officials and criminalised a range of livelihood activities of scheduled tribal and other forest-reliant peoples (PUDR 1982). In 1994, when Kamal Nath was the minister for environment and forests, there was another sustained bid for a similar enactment (Fernandes 1996). This time, legitimacy was sought to be given in terms of 'green concerns' and ecological issues, but again strong grassroot protests and critiques from sections of the intelligentsia thwarted the move.

CRITICS AND OPPONENTS

The present situation is a very different one. There is deep disaffection in adivasi areas and among other forest-reliant peoples that the present government cannot afford to ignore. But the criticisms have been strong and do require rebuttal.

First, to dispose of the most widely voiced objection to the bill. The entire issue has been posed as if adivasis are the major source of deforestation and denudation. Even a cursory look at the single largest factor for loss of forests, namely, the expansion of cultivated arable land will belie such claims. Adivasis who make up around eight out of 100 Indians own the least land. Second, such a regularisation of tenure would make sense in terms of natural justice if nothing else. The logic and the underlying principles of the bill are sound. This does not apply to all its provisions. It is strongest on the issue of land tenure. By limiting the land area to 2.5 hectares it minimises the chance of hiring labour and actually reduces the scope for land alienation provided there is sufficient state support for the new titleholder. Section 4, clause 3 that makes forest rights inheritable but not alienable or transferable is welcome. The acreage of land has been the subject of much criticism: few realise that the over 70 per cent of SC and ST land-holders in the country own less than one-third of a hectare. In fact, the land ceiling for the potential beneficiaries of the legislation is far lower than the amount of land legally permitted for dry landholdings in most states.

There is a final point about the larger politics of opposition. References by more than one critic to the Mandal Commission and the spectre of a class war are especially revealing (Thapar 2005). A strong lobby seeks to discredit land tenure reform just as it objected to affirmative action. The congruence between the issues does not unify all opponents of the bill but the fact that a section is so vocal about it should alert most components of the ruling alliance, in particular parties with deep roots in the social justice movements of the last century. Ironically, the ministry of environment and forests that sought to float an alternative 'draft' providing only for minor forest produce and joint forest management was under the aegis of a DMK minister of cabinet rank!

The bill may be politically sound and socially relevant but ecological concerns do exist and cannot be wished away. It raises other troubling questions both in terms of implementation and ecological consequences. These can indeed be resolved by reworking the bill and need not mean it should be shelved. The proponents of the bill have as an ally, not merely populist politicians or adivasi movements, but even a significant section of the environmental movement. These would include two initiatives. One is the Tiger Task Force Report that endorsed the idea of 1 per cent of the land mass of India being made totally inviolate form any exploitative activity (MoEF 2005). The other is a less well known but no less important report gathering dust in the MoEF and the 'National Biodiversity Strategy and Action Plan'. The latter calls for as much as 60,000 sq km to be made free from human habitation and presence (TPCG and Kalpavriksh 2005). Both these reports are unique as their preparation entailed large-scale engagement with forest-users and residents. Both call for a consensual approach to engage a larger constituency that

will also help to guard against the all too real threat of mega projects which denude huge areas.

The second issue is that of national parks and sanctuaries. The former in particular cover barely 30,000 sq km. There are also critical wildlife corridors where the presence of large mammals like elephants and tigers would make life conflict-ridden for any settlers, adivasi or not (Madhusudan and Mishra 2003). Here, the Tiger Task Force's idea of just and transparent relocation is a possibility. This is critical for sound biological reasons. Keeping a small part of the landscape with its plant and animal life intact makes eminent sense in an age when their scientific significance grows more evident by the day.

There are only three choices in this matter. One, is to move all those who live in the designated inviolate areas out. This does not seem feasible or practical. Two, the status quo can continue. This is not desirable, mainly because there are genuine and real conflicts with landscape integrity and there is genuine loss of amenities to people, cattle or stock. Three, there can be a carefully selective process of relocation in a just, transparent and open manner.

Here, it is useful to make a very brief mention of three patterns in the process of relocation. A rare, perhaps exceptional case where relocation has been able to raise living standards and was done in a transparent manner was in Bhadra Tiger Reserve, Karnataka. Krithi Karanth (2005), also shows how many of those who moved were from a dominant peasant community. All evacuees were given irrigated land in a command area. Kuno in Madhya Pradesh was a positive case that turned negative. Sahariya STs were relocated in a process that was corruption-free, fair to women as owners and executed with consultation with elected representatives (Kabra 2003). The follow up shows a very different picture, with a loss of amenities mainly due to water scarcity and lack of fodder. Relocation should be a last and not a preferred first option (Sharma and Kabra undated).

A full-length study of Sariska where there has been knee-jerk dislocation and more of it is slated to be carried out, shows a much more grim picture. Land allotted under a new package in 2005 is low in acreage, poor in quality and groundwater deficient. State level policy guidelines are an impediment and not an aid to effective and just relocation (Shahabuddin et al. 2005: 66–71).

Relocation Concerns

Even this brief summary of three cases will make five points evident. Relocation can only be done after a comprehensive survey not only of the numbers of settlements or persons but also of the socio-economic profile of those who reside in protection areas (PAs). Secondly, this needs to be done at the state level but in a transparent manner and not solely by the forest department (Pande 2005). There is no option about the kind of serious and hard science done in the Bhadra case about impact and consequences. This will help prioritise whether and where such relocation is a must. The actual exercise has to be designed in a manner that enhances livelihoods and not impoverishes households or persons.

This indicates a two-track approach for the measures that give force to the bill. One is to recognise rights in forests outside of the PA network. The other is to provide for a careful case-by-case evaluation of not only the biology but also the socio-economic character of settlements within the parks and sanctuaries. A simple extension of the tenure approach may damage ecological integrity but the absence of any law-governed settlement will deny basic rights to residents. A transparent and consensual process is the only way out. Such processes are vital for reasons that go well beyond the bill. The constituency for conservation is wider than preservationists imagine, if the issue is linked to that of livelihoods. The recent green signal to the Ken-Betwa river link that will annihilate a 10th of the Panna Tiger Reserve in central India is only one instance of how the forest bureaucracy can be a handmaiden in destructive development.

The principle of entitlement for adivasis in common with several other ameliorative policies or legislative measures cannot be a substitute for larger changes in executive policy. These would include preferential employment, redistribution of cultivated land held in excess of land ceiling, assistance to raise farm productivity and help with resource harvesting. Such specific issues of justice and biological integrity do need serious debate. The issue is not of adivasi land claims versus forest survival. It is one of reconciling social justice claims in a manner consonant with ecological concerns.

References

Aiyar, Mani Shankar. 2003. 'Can the Congress Find a Future?'. *Seminar*. 526, pp. 14–22.

Fernandes, Walter. 1996. *Drafting a People's Forest Bill: The Forest Dweller-Social Activist Alternative*. Delhi: Indian Social Institute.

Kabra, Asmita. 2003. 'Displacement and Rehabilitation of an Adivasi Settlement: The Case of the Kuno Wildlife Sanctuary, Madhya Pradesh'. *Economic and Political Weekly* 38 (29): 3073–87.

Karanth, Krithi. 2005. 'Village Relocation in India's Bhadra Wildlife Sanctuary: Addressing People's Livelihood Needs'. *Economic and Political Weekly* 40 (46), 12 November.

Madhusudan, M., and C. Mishra. 2003. 'Why Big Fierce Animals Are Threatened: Conserving Large Mammals in Densely Populated Landscapes'. In *Battles over Nature: Science and the Politics of Conservation*, eds Vasant K. Saberwal and M. Rangarajan. Delhi: Permanent Black, pp. 31–55.

MoEF. 2005. *Joining the Dots: The Report of the Tiger Task Force*. New Delhi: Ministry of Environment and Forests, Government of India.

Pande, Pratibha assisted by Neema Pathak. 2005. *National Parks and Sanctuaries in Maharashtra, Reference Guide*. Vol. I. Mumbai: BNHS.

PUDR. 1982. *Undeclared Civil War, Defend the Rights of Tribals, Oppose Forest Bill*. New Delhi: People's Union for Democratic Rights.

Shahabuddin, Ghazala, Ravi Kumar, Manish Srivastava. 2005. *Forgotten Villages*. New Delhi: Council for Social Development.

TPCG, Kalpavriksh. 2005. *Securing India's Future: Final Technical Report of the National Biodiversity Strategy and Action Plan*. Prepared by the NBSAP, Technical and Policy Core Group, Delhi, Kalpavriksh, Pune.

Sharma, Arpan, and Asmita Kabra. Undated. 'Displacement as a Conservation Tool'. In *Making Conservation Work*, eds Ghazala Shahabuddin and M. Rangarajan. Manuscript under review.

Thapar, Valmik. 2005. 'The Tribal Bill, Moving beyond Tigers'. *The Indian Express*. 21 October.

22

Empowering Gram Sabhas to Manage Biodiversity

The Science Agenda[*]

Madhav Gadgil

The recent passage of the Scheduled Tribes and Other Traditional Forest-Dwellers (Rights to the Forest) Act, 2006 is a welcome opportunity to put our forest and biodiversity resource management on a sounder footing; to devise flexible, knowledge intensive and participatory systems of management. The new practices should reflect the values of an open, democratic society and modern scientific understanding; in particular the recognition of serious limitations to our knowledge of the behaviour of complex ecological systems, and the consequent inability to predict consequences of human interventions with any degree of certainty (Hilborn and Ludwig 1993; Shrader-Frechette and McCoy 1993).

Traditional and Modern Practices

It must be noted that there have been no major scientific breakthroughs in applied ecology equivalent to the discovery of the role of microbes in causing diseases, or technological advances such as the discovery of antibiotics in medicine (Slobodkin 1988). As a consequence, the modern scientific biodiversity management practices closely parallel traditional ones (Gadgil and Berkes 1991). (i) For instance, just like quantitative restrictions on the amount of fuelwood extracted from a community woodlot, there are quantitative prescriptions as to the amount of timber to be removed through selection felling from a forest block. (ii) Like Torres Strait Islanders stop fishing a particular species when its population density falls below a certain level, the Whaling Commission has banned hunting of certain species of whales whose population have been severely depleted. (iii) As certain coastal fishing areas are fallowed by traditional societies when yields become low, similarly there have been prescriptions to 'rest' certain forest areas, for instance, after the excessive

* *Economic and Political Weekly* 42 (22), 2 June 2007.

harvests of the Second World War. (iv) Just as there is a traditional ban on hunting in certain seasons, there are closed seasons for mechanised fishing. (v) As certain life history stages, like breeding birds at heronries, are traditionally given protection, similarly younger stock in a forest is supposed to be spared all extractive pressure. (vi) Like certain methods of harvest, e.g., poisoning of streams, may be traditionally forbidden, there are regulations forbidding fishing with destructive gear. (vii) Just as certain habitat patches, for instance sacred groves, may be fully protected, there are prescriptions for full protection to national parks. (viii) As certain species like monkeys are traditionally protected, complete protection is extended to endangered species such as the Siberian crane.

Scientific prescriptions thus parallel 'pre-scientific' prescriptions based on traditional ecological knowledge and simple rules of thumb showing little evidence of progress. Similarly, government enforcement in this regard represents little progress over earlier religion or social convention based enforcement.

Maximum Sustainable Yield

A major scientific attempt to progress beyond this stage of folk knowledge is the notion of maximum sustainable yield (MSY). Its operation in comparison with folk systems are summarised in the table 22.1.

TABLE 22.1: Operation of MSY in comparison with Folk System

Management System	Practice	Knowledge	Belief
Folk	Reduce harvests if resource population has become very low	Populations at low levels may decline drastically under continued harvests	Humans must respect nature
Scientific	Exploitation at maximum sustainable yield level	Quantitative models of dynamics of harvested populations	Humans may exploit nature to the fullest

However, MSY regimes have often led to over-harvest and resource collapse because of the weakness of the scientific knowledge base, coupled with economic forces resisting reductions in harvest levels (Ludwig, Hilborn and Walters 1993).

Weaknesses of 'Scientific Forestry'

Official management follows certain systematic procedures like development of working plans. However, science is not merely a matter of systematic procedures. Rather, it is a system of continual open scrutiny of the procedures being employed towards any given set of objectives, such as the estimation of bamboo stocks and yields that can be sustained, and of the level of reliability of the results these procedures produce (Bernal 1939). Therefore, the main ingredients of the scientific enterprise are:

- Open access to all facts and inferences

- Rejection of all authority other than that of empirical facts
- Welcoming all interested parties to question all assertions as to facts as well as logic

All these three ingredients have been missing in the management of forest, wildlife and biodiversity resources of the country with no tradition of transparency, of sharing of the results, the methodology employed to arrive at them and the logic followed in the deductions. This is why we continually encounter problems such as the false claims of numbers of tigers in Sariska.

An important weakness of so-called scientific forestry is the lack or poor quality of its data base. For instance, a majority of the preservation plots set aside to collect data on girth increments of different tree species under different environmental conditions in the country are either poorly maintained or destroyed (Gupta 1981).

In the 1960s, the forestry establishment decided to abandon the 'cautious' approach of conservation forestry and become 'aggressive'—clearfell and raise plantations, such as those of exotic tropical pine or *eucalyptus* species (Gadgil, Prasad and Ali 1983; FAO 1984; National Commission on Agriculture 1976). Regrettably, there was no careful scientific research on which species would succeed and what productivities could be realised. The best of our natural forest was clear-cut, on the supposition that the new plantations of eucalyptus would annually produce biomass of between 14 to 28 tonnes per hectare. A significant proportion of these plantations were a dismal failure, especially in the high rainfall tracts due to fungal diseases cutting down their productivity to just one to three tonnes per hectare (Prasad 1984). Many steep slopes of the Western Ghats of Kerala were laid to waste as the magnificent old stands of evergreens gave way to miserable stands of sickly eucalyptus.

Similarly, an assessment of the bamboo resources of Karnataka on the basis of the data available from the State Forest Resources Survey, paper mills, and extensive fieldwork showed that the stocks were overestimated by a factor of ten times (Gadgil and Prasad 1978; Prasad and Gadgil 1981). Scientific management also calls for knowledge of the growth pattern to decide on a harvesting regime that will make the most of the growth potential. The Karnataka forest department's prescriptions on the number of bamboo culms to be extracted from a clump were flawed because of a failure to appreciate the exponential nature of the growth of a bamboo clump, and consequent excessive harvests from smaller sized clumps (Kadambi 1949). Furthermore, the practices involved cleaning of the thorny covering developing naturally at the base of a bamboo clump. This was supposed to promote better growth of new shoots. In fact, removal of the thorny covering rendered the young shoots readily accessible to grazing by a whole range of animals so that the recruitment of new culms to the clumps remained very poor and the bamboo stocks remained stagnant. In contrast, the local villagers were fully aware of this difficulty attendant on clump cleaning and left the thorny cover intact while harvesting bamboo for their own use.

The modern scientific method has been termed as the 'hypothetico-deductive' method. Hence, a truly scientific enterprise would treat documents such as 'working

plans' as scientific documents to be made available for peer review by all interested parties, not as official secrets. The yields expected to be realised, and the stocks expected to be left behind after the harvests would be treated as hypotheses to be tested. If the yields do not materialise, or the stocks are not sustained, then a scientific enterprise would acknowledge that there are obvious errors of fact or logic, and attempt to look for and correct them. It would also try to bring on board all interested parties, technical experts, as well as other stakeholders from the civil society in the effort to understand any mistakes and correct them.

Instead, only occasional remarks on the efficacy of earlier working plans are made when new ones are prepared. To quote one such example: 'In the Yekkambi-Sonda area, the A coupes under Edie's plan and replacement felling areas under Garland's plan have resulted in total exploitation of all valuable species.... Most of the overwood of valuable species had been removed under the so-called "uniform system" over large stretches of reserve forest area in the false hope of inducing natural regeneration of teak and other valuable species.... Garland's replacement fellings under uniform system was a total failure as it failed to induce or establish natural regeneration of teak or other valuable species' (Wesley 1964). Such observations are not shared widely and exposed to scrutiny as should routinely happen in any scientific exercise.

Space-time Scales

Ecosystems are highly differentiated in space and time, and need to be managed with great attention to finer details (Reid, Berkes, Wilbanks and Capistrano 2006). Behaviour of such complex systems cannot be described adequately in terms of a small number of parameters. Since there are many particular manifestations of any given type of ecosystem, it is difficult to identify replications required by the scientific experimental approach (Shrader-Frechette and McCoy 1993). Furthermore, any particular outcome may be arrived at in many different ways. Take as a specific example the fate of Amla, *Phyllanthus emblica*, populations, on the Biligiri Rangaswamy Temple (BRT) hills of Karnataka. A group of competent ecologists from Bangalore has investigated the causes of its poor regeneration, on the assumption that excessive collection of the fruit and the consequent low availability of seeds is responsible for its poor regeneration, but the poor regeneration may be due to poor germination of abundantly available seeds, or poor survival of young seedlings. It may also be due to too much or too little rain, or the effect of fire, or some disease of seedlings, or grazing by deer, and so on.

Given the enormous number of such possibilities, historical information on the behaviour of the system constituting a series of natural experiments can be of much value. At the same time given the large number of variables it is difficult to put the scientific methodology of careful replication to effective use. In the case of Pemblica regeneration, the ecologists laid out a careful plan of observations to assess the impact of harvest of different proportions of fruit produced on any given tree. The local tribal, Soligas however, suggested that they were on the wrong track, and

that it was the control of forest fires by the forest department that was responsible for the poor regeneration. The ecologists eventually concluded that Soligas were probably right (Murali personal comment).

SEQUENTIAL OVER-EXPLOITATION

The track record of so-called scientific forest management suggests that it has been unable to sustain resources. An FAO study in Kerala showed that the working plans have been converting the steep hill slopes earlier set aside as parts of a protection circle, first into selection felling circle, and then as forest resources are exhausted because of a failure to sustain use, into a conversion circle earmarked for clear-felling (FAO 1984). Prasad and Gadgil (1981) illustrate the process of non-sustainable use of pulpwood resources by paper mills along several dimensions. The contractors supplying bamboo rarely adhered to prescriptions. Instead of removing a fraction of culms from all clumps throughout a block, they removed all the culms from the clumps most accessible from the road. Next year a fresh road would be made further inside the block and all roadside clumps clear-felled, and so on in a sequence, reaching into less and less accessible terrain. Secondly, as the forest areas near the mill were depleted, supplies were drawn from further and further away. Thus WCPM paper mill in Karnataka first sourced neighbouring Andhra and then further afield Garhwal, Assam, and finally Nagaland. Thirdly, as the supplies of bamboo, the most suitable species for paper-making dwindled, other harder and harder woods were tapped. Fourthly, the mills moved from reserve forest land, from which they acquired supplies subsidised by the state to the tune of Rs 1.50 per tonne of bamboo (when the market price was Rs 5,000 per tonne), to the use of bagasse from sugarcane, or to eucalyptus grown on farmlands.

BIODIVERSITY CONSERVATION

The track record of so-called scientific conservation of biodiversity is also flawed, replete with instances of unexpected consequences that often follow interventions in complex ecosystems. For well over a century, Keoladeo Ghana National Park, a man-made wetland famous for the breeding of thousands of egrets, storks, pelicans in the monsoon and the wintering of lakhs of ducks, geese and the Siberian crane, had sustained grazing by large herds of buffaloes from neighbouring villages. With no empirical evidence, forest managers, as well as respected scientists like the late Salim Ali concluded that elimination of grazing by buffaloes would improve the habitat for the aquatic birds. The authorities imposed a ban in 1982 without alternative provisions for fodder. Several people were killed in the consequent protest, and the ban was enforced. It was subsequently discovered that cessation of buffalo grazing led to unchecked growth of a water loving grass, Paspalum and, in fact, a deterioration of the habitat, especially for the wintering waterfowl that this ban was meant to help (Vijayan 1987).

Adaptive Management

So, given the uncertainties in understanding and modelling the behaviour of complex ecosystems, and consequent inability to effectively implement either conservation or sustainable resource use, how do we proceed? Consider an analogy. Meteorologists acknowledge serious limitations to their ability to predict future events, for example, the exact course of a cyclone. To do their best they extensively use historical records, such as all available records of tracks of cyclones over the last century. While predicting the track of a given cyclone, they also make continual observations on its course and on all the relevant weather parameters such as pressure gradients in the region. Incorporating newer and newer observations, a process called 'data assimilation', they continually update their forecasts. Thus, they use historical information, continually monitor the situation, and modify their forecasts on the basis of all available information.

The modern theory of management of living resources suggests that it should follow such a model, accepting severe limitations to the ability to predict future system behaviour, and, therefore, trying to provide more limited, and at the same time, more detailed locality and time specific prescriptions. It should use detailed locality and time specific, including historical information. It should organise on-going monitoring of the situation and continually feed this information into updating management prescriptions. This type of system has been termed an 'adaptive management system' (Walters 1986).

After all, ecologists are currently unable to offer any general guidelines for managing biodiversity or forest resources that would be of practical value in the field. There are no universal laws, for instance, that all human uses would lead to the erosion of all forms of biodiversity. Some uses would lead to erosion of some components of biodiversity, other uses to enhancement of some components. Since sweeping generalisations are not feasible, what is required is to try out various options, monitor the consequences, and make corrections along the way. Such an adaptive approach would firstly put together all available information, including the practical ecological knowledge of local people to assess what measures might be favourable. For instance, to enhance the capacity of wetlands like Bharatpur to support water birds, if such an assessment suggests the possibility that an elimination of grazing by buffaloes may be helpful, a decision would be made to explore the consequences of such elimination. This would not involve a complete ban for all times at all. Instead, it would entail elimination of grazing in some parts of the wetland, initially for a year. The consequences of such elimination would be carefully monitored and if they suggest a beneficial effect, there will be a continuation and perhaps increase in the portion of wetlands where grazing was eliminated. If it suggests a negative effect, the area over which grazing was eliminated would be reduced, and careful monitoring continued over the area on which grazing has been eliminated to assess if elimination of grazing over two consecutive years turns out to be helpful. There would be a further assessment after two years, and so on.

Indeed, ecologists at their best remain naturalists, aided by modern technology and computational devices, but for most practical purposes relying on accumulated

experience. Many people of our countryside, too, are engaged in accumulating pertinent ecological experience while pursuing their manifold subsistence activities. The level of detailed ecological monitoring that they undertake out of sheer necessity cannot be matched by any formal scientific effort, in spite of all our advances in remote-sensing and informatics. What is then needed is to organise a system of utilising the information being thus continually gathered in the task of the adaptive management of biodiversity (Gadgil 2000).

COMMUNITY-BASED MANAGEMENT

In fact, where people have been managing local natural resources on their own, they tend to adapt a flexible system akin to adaptive management. This, for example, has happened in case of many self-initiated, informal village forest committees of Orissa, such as that of Dhani, involving five villages promoting the regeneration of 840 hectares of forest tract since 1987. The Dhani committee oversees the management of the forest as well as issues such as framing rules, resolving conflicts, taking action against offenders, and distributing benefits. Over the years it has changed its rules in response to changing conditions. In the first year, for instance, no people or cattle were permitted to enter the forest. After that the area was opened for grazing outside the rainy season. At the same time, people were permitted to enter the forest to collect dry and fallen wood and leaf litter between July and February. Subsequently, poor households were permitted to extract a limited quantity of fuelwood (Perrings and Gadgil 2003).

There are, however, distinct limitations to local level management. These include problems that plague governance in our society at all levels, such as social divisions, and politicisation. However, the key local level issue is the lack of secure rights over forest and biodiversity resources and of any authority to prevent misuse by both insiders and outsiders (Ministry of Environment and Forests 2006). Over the year a number of attempts have been made to overcome these problems, some as old as the provision for the constitution of 'village forest' in the Indian Forest Act, 1928. Other important initiatives include the Joint Forest Management (JFM) programme, formally in force since 1991, the Extension of Provisions of Panchayati Raj to Scheduled Areas (PESA) Act, 1996, the Biological Diversity Act (BDA), 2002 and most recently, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (TFRA), 2006. TFRA very specifically envisages empowering gram sabha and village level institutions to protect wildlife, forest, and biodiversity. It confers on the forest-dwellers the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance. TFRA establishes links to BDA by stating that 'sustainable use shall have the same meaning as assigned to it in clause (o) of section 2 of the Biological Diversity Act'.

Provisions complementary to those under TFRA exist under the BDA, which provides for the establishment of a national biodiversity authority (NBA), state biodiversity boards (SBBs) and biodiversity management committees (BMCs) at the level of panchayats (gram, taluka and zilla), municipalities and city corporations.

The BMCs are authorised to regulate harvests of biodiversity resources within their jurisdiction, and to charge collection of fees for this purpose. They will have at their disposal 'local biodiversity funds' into which such income, as well as other grants will be deposited. The NBA is authorised to scrutinise all Intellectual Property Rights related applications and to ensure that they properly acknowledge the contributions of the providers of indigenous knowledge. NBA is expected to consult all local BMCs in this respect and to ensure appropriate arrangements for equitable sharing of benefits. It is clearly desirable that the gram sabha under TFRA work in harmony with the BMCs.

There is today a lack of clarity as to the domain over which BMCs will have the authority to operate. In light of the TFRA, the jurisdiction of BMCs may be taken to extend over not only revenue lands, but customary common forest land within the traditional or customary boundaries of the village or the seasonal use of landscape. These forest lands would include protected and reserved forest as well as areas under wildlife sanctuaries and national parks. The rights of the STs and other traditional forest-dwelling (TFD) communities, include the right to protect, regenerate, conserve, or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use.

In order to establish proper synergy between the operation of TFRA and BDA, the mandate of the state-level committees established under TFRA should be to:

- Ensure that the rights conferred on BMCs such as the right to regulate access by outsiders and to charge collection fees are made operational and permit full accrual of benefits to STs and TFDs.
- Promote the documentation of local biodiversity resources and the preparation of management plans oriented towards ensuring the sustainable use of biodiversity resources by the BMCs.
- Ensure that no rights of STs and TFDs are violated while deciding on heritage sites or enlisting threatened species under the BDA.
- Ensure that existing provisions of forest working plans only support and do not obstruct conservation, sustainable use, and restoration of forest resources by STs and TFDs.

Information Resources

Thus, by employing in a synergistic fashion the provisions of BDA and TFRA, it should be possible to set up a process of adaptive management of natural living resources to ensure sustainable use. The information resources supporting such a de-centralised, flexible process will have many features distinct from the prevalent procedures of the forest department working plans. The working plans have too long a time horizon, and do not allow for adjustment on the basis of continual monitoring. They have been focused on timber and have paid scant attention to other biodiversity resources, or the broader socio-ecological context. Thus in Karnataka 300 plant species are commercially used by the pharmaceutical industry, but the forest department has very limited information, for instance on amounts realised

while auctioning collection rights on just 27 species (Karnataka Planning Board 1996). Most importantly, the working plan system is an exclusionary system; it does not encourage independent scrutiny and it has never led to any capacity building for the forest-dwellers. It has also failed to lead to sustainable resource management.

We now need to replace such a 'control and command' approach by an 'inform and share' one to planning for de-centralised management of resources. This would be an open, inclusive system that would be targeted at an appropriate, much more detailed, space-time scale. It would be a flexible system based on continual monitoring of biodiversity resources in a de-centralised fashion, bringing on board local educational and research institutions along with concerned official agencies and working with community members. It would help build the capacity of gram sabhas. A methodology geared to these objectives has been developed, widely debated and field tested as a part of the follow up of the BDA (Gadgil 2001; Gadgil et al 2000; Gadgil et al 2006). Under this act, all local bodies would have the responsibility of documenting and periodically updating the following information:

- Comprehensive information on the availability and knowledge of local biological resources, their medicinal, or any other use or any other traditional knowledge associated with them;
- Data about the local 'vaids' and practitioners using the biological resources;
- Details of the access to biological resources and traditional knowledge granted, details of the collection fee imposed and details of the benefits derived and the mode of their sharing.

The rules under BDA term this documentation as people's biodiversity registers (PBR). The NBA has recommended in August 2006 that the methodology developed by the Indian Institute of Science be adopted as a starting point for such exercises (www.nbaindia.org).

The PBR documentation focuses on: (i) people-natural resource links; (ii) landscape/waterscape of the study area; (iii) local biodiversity elements; (iv) people's knowledge associated with biodiversity; (v) people's perspectives on management issues; (vi) culminating in the formulation of a management plan to support the functioning of the local biodiversity management committee.

The different building blocks or entities included in the database would be related to each other in a variety of ways, and a well-designed information system should properly specify the relationships. The methodology endorsed by the National Biodiversity Authority incorporates a Relational Database Management System (RDBMS) termed 'PeBInfo' to support PBR exercises for this purpose.

MANAGING THE INFORMATION

The most serious lacuna in our approach to managing information on India's forest and biodiversity resources has been a lack of openness and willingness to take everybody along (Gadgil 2006). The inclusive, open approach that is advocated here depends crucially on free access to all information to all people, except where very

evident security concerns are involved. Today, this would be best ensured by posting all pertinent information on the web, in English, as well as in all Indian languages. The information to be thus made available should include all research and survey results, pertinent satellite imagery, resource maps, working plans and management plans, as well as ongoing schemes of habitat manipulation interventions, along with the information collected through the people's biodiversity registers, and any other pertinent information. The web-based information system may use both the normal as well as the wiki mode. The wiki mode permits any interested party to go to the website and add or edit, thus greatly facilitating civil society inputs.

We have today an important opportunity of putting in operation new ways of generating, sharing and managing scientific information relating to India's forest, wildlife and biodiversity resources. The traditional actors on this theatre from the forestry establishment should undoubtedly continue to play a major role in this endeavour. But the process should now become much more inclusive, transparent, and open to the involvement of a wide variety of individuals and institutions like schools, colleges, universities, research institutions, NGOs, as well as civil society at large, regardless of the level of their formal education.

It is only when we successfully institute such a 'share and inform, promote and facilitate' approach in place of the current 'control and command' approach, that we would be able to do justice to India's rich heritage of biodiversity resources and associated knowledge.

References

Bernal, J. D. 1939. *The Social Functions of Science.* London: Routledge and Kegan Paul.

Food and Agriculture Organisation. 1984. *Intensive Multiple-Use Forest Management in Kerala*, Forestry Paper—53, FAO, Rome.

Gadgil, M. 2000. 'Forging an Alliance between Formal and Folk Ecological Knowledge'. World Conference on Science: Science for the Twenty-First Century—A New Commitment, UNESCO, Paris, pp. 94–97.

———. 2001. 'People's Biodiversity Registers: Lessons Learnt'. In *Environment, Development and Sustainability: A Multi-disciplinary Approach to the Theory and Practice of Sustainable Development.* Special Issue on 'Local Knowledge in the Tropics: Relevance to Conservation and Management', eds A. Begossi and L. Hens. The Netherlands: Kluywer Academic Publishers, pp. 323–32.

———. 2006. 'Science and the Right to Information'. *Economic and Political Weekly* 41 (19): 1895–1902.

Gadgil, M., K. P. Achar et al. 2006. *Ecology Is for the People: A Methodology Manual for People's Biodiversity Register.* Chennai: National Biodiversity Authority. Also on www.nbaindia.org.

Gadgil, M., and F. Berkes. 1991. 'Traditional Resource Management Systems'. *Resource Management and Optimisation* 18 (3–4): 127–41.

Gadgil, M., and R. Guha. 1992. *This Fissured Land: An Ecological History of India.* New Delhi: Oxford University Press, p. 274.

Gadgil, M., and S. N. Prasad. 1978. 'Vanishing Bamboo Stocks'. *Commerce*, 136, pp. 1000–04.

Gadgil, M., S. N. Prasad, and R. Ali. 1983. 'Forest Management in India: A Critical Review'. *Social Action*. Vol. 33, pp. 727-55.

Gadgil, M., P. R. S. Rao, G. Utkarsh, A. Chhatre and members of the People's Biodiversity Initiative. 2000. 'New Meanings for Old Knowledge: The People's Biodiversity Registers Programme'. *Ecological Applications* 10 (5): 1307–17.

Gupta, A. C. 1981. 'Preservation Plots in Karnataka'. National Seminar on Forests and Environment. 2–3 December, Bangalore.

Hilborn, R., and D. Ludwig. 1993. 'The Limits of Applied Ecological Research'. *Ecological Applications* 3 (4): 550–52.

Kadambi, K. 1949. *On the Ecology and Silviculture of Dendrocalamus Strictus in the Bamboo Forests of Bhadravathi Division, Mysore*. Karnataka Forest Department, Bangalore.

Karnataka Planning Board. 1996. *Biodiversity Policy*. Karnataka Planning Board, Bangalore.

Ludwig, D., R. Hilborn, and C. J. Walters. 1993. 'Uncertainty, Resource Exploitation and Conservation: Lessons from History of Science'. *Science*. 260: 17–36.

Ministry of Environment and Forests. 2006. *National Environment Policy*. Delhi: Government of India.

National Commission on Agriculture. 1976. *Report of the NCA—Part IX—Forestry*. New Delhi: Ministry of Agriculture, Government of India.

Perrings, C., and M. Gadgil. 2003. 'Reconciling Local and Global Public Benefits'. In *Providing Global Public Goods: Managing Globalisation*, eds Inge Kaul, Pedro Conceicao, Katell Le Goulven and Ronald U Mendoza (eds). New York: United Nations Development Programme, Oxford University Press, pp. 532–55.

Prasad, S. N. 1984. 'Productivity of Eucalyptus Plantations in Karnataka'. Paper presented at the National Seminar on Eucalyptus, Kerala Forest Research Institute, Pcechi.

Prasad, S. N., and M. Gadgil. 1981. *Conservation of Bamboo Resources of Karnataka*. Karnataka State Council for Science and Technology, Bangalore.

Reid, W. V., F. Berkes, T. J. Wilbanks, and D. Capistrano. 2006. *Bridging Scales and Knowledge Systems: Concepts and Applications in Ecosystem Assessment*. Washington, DC.: Island Press.

Shrader-Frechette, K. S., and C. E. D. McCoy. 1993. *Method in Ecology: Strategies for Conservation*. Cambridge: Cambridge University Press.

Slobodkin, L. B. 1988. 'Intellectual Problems of Applied Ecology'. *BioScience* 38 (5): 337–42.

Vijayan, V. S. 1987. *Keoladeo National Park*. Mumbai: Bombay Natural History Society.

Walters, C. J. 1986. *Adaptive Management of Renewable Resources*. New York: MacMillan.

Wesley, D. G. 1964. *Revised Working Plan of the Yellapur and Mundgod Teak High Forests*. Bangalore: Kanara Eastern Division, Karnataka Forest Department.

Section VII

Resource Management: By Whom and for Whom

23

Civilisational Change

Markets and Privatisation among Indigenous Peoples[*]

Dev Nathan and Govind Kelkar

This article deals with changes in the social and economic systems of indigenous peoples consequent upon their integration into the global economy through market-driven processes. There are changes in the nature of the overall economic and social system, from one aiming at the stability of the social system to one based on accumulation. From production for self-consumption the new system shifts to production for sale in the market. This fosters privatisation of the access to productive resources, chiefly land. Membership of the community is no longer synonymous with access to critical productive resources, chiefly land. Privatisation is accompanied by the growing dominance of men in economic affairs. There is also a decline in earlier forms of reciprocity as social welfare. This set of changes can justifiably be called a civilisational change, so deep and broad is its scope, changing all earlier forms of social, economic and gender relations.

After discussing the features of this process of civilisational change, the article then goes on to consider its historical role in the development of the economic and social system. While a system of accumulation does not necessarily have to be based on private property and there can be collective forms of accumulating systems, the demise of twentieth-century attempts at creating alternatives makes it difficult, if not impossible, to envisage a direct movement from kinship-based and subsistence-oriented collectivities to citizen-based and accumulation-oriented collectivities. The experience of private accumulation has its positive, even liberating effects, even while it increases inequality and leads to various kinds of social stress. This contradictory experience of modernity as privatisation reveals the negativities of privatisation and the limits of the domination of commodity forms.

The cost, among other things, is a loss of guaranteed access to productive resources. The way forward is to create welfare systems based on taxes and new

---

[*] *Economic and Political Weekly* 38 (20), 17 May 2003.

forms of community organisation. The emerging global community of producers needs to become the reference point even for the articulation of human rights within capitalism, leave alone the overcoming of commodity production.

MARKETS AND PRIVATISATION

Globalisation comes down to local communities largely through the market. New goods may be seen on the TV or come to be known through other ways. But it is through the market that they become available to be consumed or used by people. It is also through the market that producers come to know what they can sell. Often they may not know the uses to which their products are put. For instance, only recently, after the logging ban imposed by the Supreme Court of India, indigenous women in the north-eastern state of Meghalaya were selling the bark of some trees, but had no idea at all of the uses of that bark. The indigenous people of Andhra Pradesh had for decades been collecting and selling gum karaya without any idea of its use in making dentures. These are not isolated instances and sellers are often totally unaware of the uses of the products they sell, particularly when these products do not have local uses.

The market, of course, is not new to indigenous peoples. The fabled 'Silk Routes', for instance, go through indigenous people's areas in the Himalaya-Hindukush mountains. But for the indigenous peoples trade, was carried on in order to obtain alien or exotic products, salt, iron, etc. With the incorporation of these mountain communities into plains-based states, and later with Western colonialism, the regular trading networks extended up into the hills and mountains. The states also more directly extracted various forest products, like timber. But with globalisation there is a great increase in the scope of the market. Virtually any product can be traded on the market. And, unlike with production for self-consumption, which is necessarily limited by the extent of local consumption, production for sale on the market is not similarly locally limited, of course when the aim of trade is no longer to incorporate exotic products into a subsistence system, but becomes part of a process of accumulation.

This growth of the market has led to a process of privatisation of formerly communal land, of devolution of ownership, at least de facto if not also de jure, from supra-village and community or clan to the family. The market for timber and NTFP grew in the colonial or immediate post-colonial periods. To that extent they certainly predate the 1990s, which is generally regarded as the era of globalisation, with the growth of global financial markets. But the process of privatisation through market-induced transformation is a feature that becomes even stronger in the current era. Consequently, an analysis of the privatisation process, even if it pre-dates the 1990s, can tell us a lot about the effects of the growth of global markets on what were formerly relatively self-contained, subsistence-based economies.

A detailed case study of this process in north-east India looks at this process of privatisation through pressures emanating from the development of the market, timber and NTFP, where, unlike in most of the rest of India, the communities

retained ownership of the forests in the colonial and post-colonial periods. While the analysis is concentrated on the Khasis of Meghalaya, a state which is better connected than other north-east Indian states with the rest of India and thus with the markets for timber and NTFP, it also uses material, mainly from other communities and countries of the Hindukush-Himalayan region.

The growth of the market led to a process of privatisation of formerly communal land, of devolution of ownership, at least de facto if not also de jure, from supra-village and community or clan to the family. The following are the features of this process:

- The rise of big men or big families and their links to the external world
- The decline of earlier forms of reciprocity that inhibited accumulation
- The separation of the objective conditions of labour (chiefly, land) from labour itself, leading to the creation of what Marx termed 'not-landownership' (Marx 1973: 498)
- The growing domination of men in economic matters.
- The breakdown of norms of collecting forest products only for self-consumption and in regulating collection for sale
- The gradual or rapid decline of NTFP in the unregulated commons and the domestication and shift of valuable NTFP species into the home gardens or privately-owned fields

Norms Inhibiting Accumulation and their Costs

Social norms or sanctions that inhibited accumulation or kept it within narrow limits are of different kinds. One of them is the feasting undertaken by big men or chiefs, for instance, among the various Naga communities. This feasting redistributed any surplus and prevented accumulation. With the advent of Christianity such feasting was denounced as being 'pagan', and its decline opened the way for accumulation. Simultaneously, norms of reciprocity also changed and step-by-step generalised reciprocity gave way to annual cash contributions of a portion of income.

Among the Khasi, pre-Christian accumulation was restricted to the families of the chiefs (*Syiem*) and priests (*Lyngdoh*). Any other family that accumulated wealth was likely to be denounced as worshippers of *u thlen* (the snake) and forced to abandon their wealth. 'The *thlen* attaches itself to the property of the keeper and gets transferred along with it to his/her heir. The keeper can rid himself of the demon only by renouncing all his possessions' (Nongbri 2002: 4). But this does not destroy or dissipate the property; rather it is centralised with the chief or priest, since 'only the *Syiem* (chief) and the *Lyngdoh* (priest) can receive the property of *thlen* keepers without the possibility of inheriting the demon' (ibid.).

The Dai of Xishuangbanna (China), a Tai-speaking people, who had a well-developed chieftain (*Tusi*) system also had a mechanism to inhibit accumulation outside of the families of the chiefs or their representatives, the village headman. Any prosperous family, known as a family with a 'silver plough' or that had found a 'silver box/spoon', was likely to be denounced as *pippa*, or keepers of the tiger spirit,

which like the Khasi thlen, caused harm to people and spread sickness. Such families were driven away from the village and their lands and other property seized by the village headman or chief.[1]

Among the Munda of Jharkhand there has been a more egalitarian system of redistribution, which altogether inhibited accumulation, rather than centralised it. There any family that accumulated any wealth was subject to *hisinga* or envy.[2] Such a family or person would be denounced for having accumulated wealth through communion with evil spirits and asked to atone for the same. The atonement was a feast for the whole village, which left the rising family even worse off than the rest of the village.

The above norms and actions inhibited accumulation and actively promoted the redistribution of surpluses. Whether through denunciation as 'pagan' rites or through the growing scope for such persons to escape redistributive measures through urban migration,[3] these measures of redistribution have lost their earlier force. Along with them, day-to-day measures of reciprocity, like the substantial provision of village or clan labour to maintain families in need (those without adults or with adults who are unable to work), have been replaced, for instance among the Nagas, by annual cash subscriptions of a percentage of family income.[4] This contribution is more like a tax, and since the proportion is fixed for all families, rich or poor alike, it is in fact regressive, i.e. its burden is more on poorer families. Such a tax, unlike the earlier potentially unlimited contribution of labour and grain, does not inhibit accumulation.

In extreme crisis situations, as during the collapse of urban incomes and remittances during the Asian crisis, among the indigenous peoples in Thailand, there was a continuation of kinship and community relations. Returning migrants who had no immediate family could stay with relatives, or if they had no close relatives, in the Buddhist temple. In a different manner, the small patches of village forest in Meghalaya that went to support the church, could also supply timber for the houseless. These means of kinship or community entitlement during extreme crisis, were exceptional measures, they do show that the community has not been completely eroded. But they are merely remnants of what used to be regular and normal organising principles of these societies.

The social security systems had a high cost in terms of 'dynamic efficiency, because of their disincentive effects of work and investment efforts' (Platteau 1991: 161). Of course, incentive effects on work and investment were not concerns on which those economic systems were fashioned. But they are now becoming concerns of indigenous people and this leads to changes in their economic systems. In sum what we are witnessing is a historical change from a social system that produced sustenance for its members and the community to one that produces value or is dominated by the commodity form, from one mainly concerned about maintaining its social continuity to a system driven by the logic of accumulation and wealth creation.

PRICING PROBLEMS IN UNREGULATED COMMONS

We have seen above that there are insufficient incentives for productivity-maintaining, leave alone productivity-enhancing investments in the gathering of forest products.

But the effects of these older norms are not related only to productivity. They also have consequences for pricing, leading to the exported forest products being subsidised by the producing communities. In the article on environmental services (Nathan and Kelkar 2001) we saw that in the unregulated commons situation the values of various environmental services are not included in the pricing of products. Now, it can be seen that there is yet another factor in the low relative prices of forest products—the costs of planting or replanting and other management of forests needed to sustain forest production are not included in the prices of forest products. It is virtually the costs of gathering alone that are reflected in their prices. As a result exports from the forest are at prices that are below social costs.

As argued in Chichilinsky (1994) the lack of property rights in the 'South' simultaneously with well-developed property rights in the 'North' leads to an unequal exchange between the 'South' and 'North'. In this case forest products are under-priced and thus forest producers are subject to an unequal exchange with the rest of the world. The base of the low price of forest products then lies in the inadequate institutional framework of decaying commons institutions that cannot relate to production for maximisation of income. The change in the institutions governing forest management then becomes necessary to take of the question of unequal exchange.

In a similar fashion, we may note that it was only with the nationalisation of ownership of oil that OPEC could then move to secure an increase in oil prices so as to reflect more than the costs of extraction. The same principle would hold true for forest products too—an adequately-specified property regime is needed to eliminate the under-pricing of forest products. This may not be a sufficient condition, other measure too, like organisation of the producers in OPEC fashion, may be needed. But the change in property and management systems of the forest is a necessary condition for ending the under-pricing of forest products.

The above proposition could be illustrated with an example. When tree products are no longer collected from the 'forest' but from domesticated trees in the home garden, the producers would inevitably take account of the costs of planting and of management of the trees in their decisions of production and sale. If existing prices are too low to cover these costs, they will not domesticate these trees or reduce their production of its products. As more and more of these tree products are produced from home gardens their prices will better reflect costs of planting and management.

Change in Production Orientation

The change in production systems is not confined to accumulation at the top, as it were. There is an overall change in the approach to production, from one based on the satisfaction of needs, relatively fixed needs, to one based on the maximisation of income.

In the subsistence-oriented 'full belly' type of production the objective was that of meeting a fixed desired level of consumption, while minimising work or

maximising leisure (Das Gupta 2002: 3556). The desired level of consumption may be that needed for meeting household nutrition needs over the year while fulfilling social and ceremonial obligations. This leads to a maximisation of leisure, after meeting consumption needs, in what Sahlins termed 'the original affluent society'. As Malabika Das Gupta points out, reports of the behaviour of Tripura swiddeners show that they acted on a basis that could be characterised by the 'full belly' model. In 1879–80 when there was a bumper harvest of rice, the swiddeners only carried home the quantity required for consumption, the surplus being left to be eaten by wild beasts. Of course, besides the limited consumption needs of the swiddeners, there was also the factor of poor communication, which made it impossible for the surplus to be exchanged with traders from the plains for anything else.

This was the nature of subsistence production. But with the growth of communication and the creation of new needs, the nature of production objective has changed. 'Since consumerism has spread among them even the remote areas ... becoming to some extent a part of the global village, in making their production decisions the jhumias [swiddeners] ... seem to want to maximise their utility subject to a minimum consumption and a maximum labour constraint today' (Das Gupta 2002: 3559). What this means is that from a subsistence-oriented system of production a more surplus and accumulation oriented, maximisation of utility (income) subject to a labour constraint has become the norm of peasant production. This is a big shift from subsistence to surplus production.

Of course, given the inevitable inequalities in this process, with a combination of state exclusion and unequal access to land and other productive resources, not many swiddeners make it to accumulation. But what is important is the change in the orientation towards production. This changed orientation too seems to be unevenly developed among the swiddeners. As has been repeatedly noticed, the scope for hunting as a serious production activity is almost zero. Yet, there are still many such communities where men go out with hunting rifles while women work in the swidden fields. If even that semblance of production, which is in fact leisure, is not there, then there is a frequent recourse by men to alcohol consumption as a leisure activity.

Women, on the other hand, try to maximise the income they can earn, going down the line to low return activities, like collecting, carrying and selling head loads of fuel wood. The compelling factor is the gender division of responsibilities, where household food security is very much in women's domain. Failure to provide food can even lead to women being victims of men's domestic violence, besides being socially stigmatised. As a reaction to men's alcoholic violence and the threat it brings to household food security, women across many indigenous communities of India (in Andhra Pradesh, Maharashtra and Nagaland, for instance) have responded with mass movements to ban alcohol consumption.

Inadequacy of Older Norms Governing Production

With a shift in production systems to maximise incomes, unlike with production for self-consumption, which is necessarily limited by the extent of local consumption,

production for sale on the market is not similarly locally limited. Consequently, the growth of external markets for various forest products, e.g., Non-Timber Forest Products (NTFPs), has often been accompanied by the rapid depletion, even disappearance, of these products. We will discuss the inadequacy of older norms governing taking NTFP as the main case.

There are two factors at work here. The first is the over-extraction of the NTFP. This occurs even if tradition actually forbids the collection of NTFP for sale. But in the absence of other avenues for earning income, extraction and sale of NTFP is a viable source of income. Thus, the rules prohibiting the extraction of NTFP for sale breakdown in the face of the double pressure of the external market and the internal need for cash income.

The rule that does remain largely in effect is the one restricting access to those who are members of the relevant community, clan or village. But since there is no effective regulation of rates of harvesting, the effect of competitive over-harvesting inevitably comes into play.

The second factor is that if the harvesting of NTFP is to be sustainable, some measures of investment of labour and other resources are needed. A study of NTFP harvesting in the Amazon and Borneo points out, ' ... almost any form of resource harvest produces an impact on the structure and functions of tropical plant populations. If nothing is done to mitigate these impacts, continued harvesting will deplete the resource' (Peters 1994: 45). This is so irrespective of the rate of harvesting, though the process is accelerated by destructive harvesting, of the type brought about by competitive harvesting.

The author goes on to point out, 'There are ways to exploit the non-timber resources produced by tropical plant populations with a minimum of ecological damage. Doing so, however, requires management.... Although quite a bit more involved than simply picking up fruit or tapping rubber trees, these management procedures will produce a sustainable form of resource utilisation' (ibid.).

Is it likely that the investment in labour and other resources will be forthcoming in the existing systems of NTFP access and collection? Where the investment of labour and other resources will result in an income that does not necessarily accrue to the person or group undertaking the investment, is such investment likely? Here the logic of individual decision-making comes into play. The income will be shared among all members of the community, while the investment in labour and other resources is undertaken by one person or family. This will inevitably restrict the possibility of investment to maintain sustainability.

Thus, we have two processes leading to the depletion of NTFP in common properties, even if access to the resource is controlled. The first is competitive over-harvesting, and the second is the paucity of investment in sustaining the productivity of the resource.

The usual response of families and communities to the above problems has been to bring the trees into the home garden or privately owned orchards. A study of Meghalaya (north-east India) showed that most NTFP sold in the market come from gardens and not from the forests as such (Tiwari 2000). With the disappearance

or very restricted availability of medicinal herbs, in Bastar (MP) too most of what is sold as NTFP is actually produced in the home garden or swiddens, and not in the forest as such. Valuable trees, such as tamarind and mahua, are in the swiddens, home gardens or otherwise within the settlements.

The process of privatising and domesticating NTFP depends on the return from the NTFP. As one would expect, those NTFP, which yield a higher return are domesticated, while those with lower, including uncertain returns are not domesticated. In this process there is a difference between regions depending on the trading system, which affects the return from a particular product.

We should revert to the main point being made here—the failure of traditional management systems of NTFP to cope with problems of regeneration and of maintaining the sustainability of the output. A change in the rules governing rates of harvesting is clearly needed, as also a system of incentives to allow for investment in enrichment planting and other forms of management to improve regeneration. The first can be done by marking trees to be harvested (or, not harvested as the case may be), or by specifying the block within which harvesting will be carried out in any period. These are the rules, as suggested in Peters (1994: 42). But more important than rules is the type of institution that can implement them.

The study of indigenous forest management ideologies in Jharkhand (Singh 2002) points out that traditional approaches to forest management do not include replanting of trees in the commons. Replanting was carried out in the privatised home gardens, while forest regeneration in the commons was the result of leaving the plot fallow to natural regeneration. Even where there was replanting in the commons [see the study of forest management practices in Kalimantan by Christine Padoch (Padoch 1995)] such planting activity led to the establishment of individual/family rights over the tree and or its fruits. Such an individualised right resulting from the labour of planting trees is common in many indigenous communities [see for example the study of the Rungus of Sabah (Porodong 2001), or the Khasis of Meghalaya]. What this means is that traditional approaches are insufficient for maintaining productivity in commercially exploited common forests, which require replanting. This would also strengthen the point that one cannot expect an automatic transition from a subsistence-oriented to a commercially oriented collective management of common forests.

On the other hand, the study of the evolution of forest management approaches among the Naxi in Yunnan [Guo Dalie 2002] does show the development of "regular public planting of trees ... near the end of the Yuan and the beginning of the Ming dynasty". But this was not the action of the communities themselves, rather it was the system instituted by the centralised Chinese state. This does raise the question: does public planting come up only with the formation of or taking over by a state?

While the system of public planting has continued to this day (Guo Dalie 2002) there has been a change in the method of ensuring its success. Initially and, perhaps until recently, it was only a matter of forbidding cutting of such trees planted on public land. But more recently the Naxi villages (Yang Fuquan, Xi Yuhua and He Zhonghua 2002) have started giving incentives for promoting the survival of

planted saplings. Households are paid for this. This is a form of privatised incentive for preserving saplings planted on public land.

At another level, new types of individual investment can only yield adequate returns if social practices change. For instance, with continuing uncontrolled grazing, plantation can only be taken up by those who can afford to fence their plantation areas. A shift to controlled grazing, however, can open the scope for many more families to undertake investment in plantation. Backed up by sanctions for not conforming to the new rules, 'social fencing' can reduce the cost of plantation, and thus enable many more to participate in the intensification of forest-based production.

Thus it is not only in the case of collective forms of management, as in common property systems, that enabling social conditions are needed. Such enabling social conditions are also needed to institute new forms of private investment.

An Advanced Mode of Self-Activity

The new productive forces mean a higher level of income, though not necessarily for all. The satisfaction of needs through consumption is possible because of the higher income. A new system of production, like tourism 'means disruption, but it also means survival and much more' (Goody 1998: 197). Survival, as we have seen above, not only on a material level but also on a cultural level, as cultural practices become means of earning an income. In India, which has a rich tradition of women's domestic crafts, the export earnings from craft production have increased from about $50 million in 1990 to about $400 million in 2000 (Raj and Kapoor 2002). From a historical situation of handicrafts being destroyed for and by British mill-made products, the export markets for handicrafts have played a substantial role in the revival of handicrafts in India and across Asia.

Does the development of new forces of production represent an 'advanced mode of self-activity of the individuals' (Marx and Engels 1970)? This was always how Marx understood the meaning of more developed productive forces—as more developed forms of labour. In the examples discussed above, the shift from collection of wild plant materials to the domestication of these plants certainly represents a higher form of labour. The knowledge of plants needed for domestication is higher than in collection.

In another example, the shift of weaving from being a domestic activity of women in Laos[5] to being the main source of income—in that too there is a considerable advance in the forms of labour. From relatively fixed designs, specific to a particular community, women now learn to weave or embroider any design that is given to them, viz, any design demanded on the market. In the process there is a generalisation of the capacity to weave or embroider. There is even some local development of the capacity to innovate and make new designs, a capacity largely concentrated among the local weaver-traders who over time become specialised trader-designers and also older, more experienced women, who are able to make new designs and set up looms, etc.[6]

These are all definite advances in the modes of labour, the modes of self-activity of the producers. While the older, ancient form of production gave satisfaction from a limited standpoint; the modern seems to give no satisfaction, following as it does the dictates of the market. But there is a higher human content in the labour, only with the capitalist form it appears as alienation, as sacrifice of the human end to the external end of income or wealth, to paraphrase Marx (1973: 487–88). But as Marx repeatedly insisted (e.g., 1973: 515) this is also a movement in the dissolution of the limited presupposition of existing production. Something clearly visible in the transformation of decorative embroidery and weaving from being a subsidiary domestic activity of women into a commercial art production and even the main income source of women and their families.

Of course, these are still regarded as tourist souvenirs, not as genuine artistic products. That requires a change not only in the attitude of the users/consumers of these products but also in development perception of work and in particular the recognition of women 'reproductive work' as work. It is only after the rise of the feminist movement in the West that women's decorative embroidery or quilt-making is being recognised as art. The feminist artist Miriam Schapiro has coined the term 'femmage' to show the close connection between women and the making of collages (Broude 1982). That decorative motifs are a basis for abstraction in art was recognised, for instance, by Wassily Kandinsky; who, however, strove very hard to maintain a distinction between 'mere decoration' and 'vibrations of the spirit' (ibid.: 317). There is still a strong tendency to dismiss women's domestic artistic work as 'mere decoration' and 'not art'. The shift from such artistic work being a domestic function of women to becoming a commodity in the art, even if it is the mass souvenir, could help in changing opinions about the artistic function of women art producers.

CULTURE AND COMMODITY

Besides the important aspects of the localisation of decisions related to global flows of goods and environmental services, there are also impacts of globalisation on mountain cultures and cultural productions. For long looked down upon as inferior to the cultural performances of the plains, the songs, dances, handicrafts, etc., of the mountain peoples have gained an international acceptance, something that has grown with tourism. While in earlier times the music and cultural performances of the mountain people were facing extinction under the onslaught of the 'superior' plains' products, or were preserved in hothouse fashion with heavy-handed state patronage, the growth of tourism has led to new roles for these cultural creations.

'The becoming cultural of the economic, and the becoming economic of the cultural, has often been identified as one of the features that characterise what is now widely known as post-modernity' (Jameson 2000: 60). If the cultural practices and artefacts of the mainstream cultures can become economic sectors then what about the cultural practices and artefacts of the indigenous peoples of Asia? Tourism has provided an avenue for the continuation of cultural practices (e.g., tea ceremonies of

the Bai) or cultural products (hand-printed, embroidered or woven cloth) that were in danger of extinction in the face of seeming irrelevance or economic competition from mill-made cloth.

People come not just to see scenery, but also to acquaint themselves, in howsoever limited a fashion, with different cultures. This is what makes the mountain cultures, the matrilineal cultures of the Mosuo in Yunnan, for instance, something interesting to see and observe. The Mosuo still retain their matrilineal system, *axia* (visiting husband), funeral customs, and sacrificial rites. 'In fact, they have even further consolidated these practices, not for themselves, but as tourist attractions' (He Zhonghua 2000). The result is that the music, dance and other performances of these people have got new functions, as they are staged for tourists to see or participate in. These, of course, are not their original functions. Often formerly sacred performances now become mere tourist attractions. But what must be seen is that the alternative is the slow or rapid, but sure, extinction of these cultural practices, which is what was occurring before the intrusions of globalisation.

Besides, some of the idioms of the mountain peoples also establish themselves as artistic practices, perhaps with esoteric value, if not on par with those of the plains' peoples. In China, as a result of tourism, Naxi traditional orchestras have been revived. Having almost died out (only a handful of men in their sixties and seventies kept its embers flickering), now after a gap of more than 30 years, they not only perform regularly, but have also produced cassettes and CDs of their music. There are many similar examples in handicrafts, etc. The Naxi pictographic writing, which too was in danger of extinction (only a handful of old Dongba priests existed who could read it) has now made its presence felt as an idiom in painting and sculpture. These are new and different functions to be sure. But the alternative to extinction is to be able to use one's heritage in changed circumstances. Globalisation does give some scope for such expressions of local culture.

But, 'Locality is no longer what it used to be' (Appadurai 1996: 11). Globalisation transforms and recreates locality in a new way, a new way even for the local people. There is a selective picking of what is of value in the global system. Further, to the local people too, the cultural products or practices cease to have the old, participatory or religious values. The commoditisation of these products and practices means that their value now lies only in the money they can bring in exchange. The products and practices are also influenced by changing tastes. Thus, Hani villagers in Yunnan have no qualms about dressing up and pretending to be Dai, since that is what the ignorant foreign or Han tourists expect of them. This interaction is itself the medium of expression of the circuits that create wealth and thus of domination of use value by exchange value. Cultural products that have use value may still continue to exist; but the global circuits are dominated by those that have exchange value. That is the price of cultural existence in the globalised market system.

Is commoditisation of cultural products or of major global flows, like environmental services, good or bad? Those who idealise the pristine beauty of the original cultural products fail to note that they are both continually changing and even in danger of dying out. Commoditisation, on the other hand, does enable

them to exist. Even more important it enables the artists who produce these works, to exist and continue to produce such works. What is needed is for the works of these artists to not just be part of the 'exotic' that tourists buy as souvenirs, not in the margins, but as parts of the global artistic idiom. That would require a change in the terms of the interaction of the local with the global, as proposed in the artistic realm by Navjot (1998).

It is necessary to understand the ways in which the local of the indigenous people interacts with the global in order to be able to change the terms of that interaction. This is so for cultural products as for environmental services. In both cases there has been a forcible and free extraction, without acknowledgement of original authorship of compensation. African sculptures became part of the global artistic scene, via Matisse and Picasso, among others, but the original African sculptors remained basically unknown and even the African influences on these modern works quite unappreciated by the general audience.[7] They did not become individualised works in the global art scene.

In a world dominated by the commodity form, the existence of an object as a commodity does give it some value. Its non-existence as a commodity does not save it from appropriation by others—whether in the case of African sculptures, forests' environmental services, or indigenous knowledge—all of which have been forcibly extracted. Gaining the status of commodities these products would then have an acknowledgement of their authorship and would enable the terms of the earlier forcible and free exchange to be improved in favour of the local producers. This is the improvement in the current terms of exchange between the global and the local that we are advocating. It is a non-trivial change. For those who have been kept outside the commodities, though their products have been appropriated by other, forcible means, entry into acknowledged commodity production is a step forward, even a liberation from a very unequal exchange.

Of course, this does not provide a full solution to the problem of the integrity of artistic endeavour or of the value of the environment. The commodity form is ultimately inadequate for both of these concerns. Commodifying ethnicity is not a way to integrally promote culture, as only those practices are maintained that have commodity value (Walter 2002). The spread or generalisation of commodity relations has its effect on all forms of human relations, including sexuality, with the spread of commercial sex. How and when an overcoming of these commodity forms can be carried out, that is something that humanity still has to come to grips with at the beginning of the twenty-first century, particularly after the disastrous record of so far failed attempts to overcome the commodity form of production. But without going through the contradictions of commodity production, along with its positive role in promoting production and accumulation, it is unlikely that any post-commodity system could be fashioned.

Besides the possibilities for local cultural expression, though transformed as commodities, brought about through the market, the new communications media made available through globalisation, the electronic media, also make possible the articulation of the overall cultural and political concerns and identities of these local

identities. The monopoly of the nation-state over these projects, which was a feature of print capitalism, has been broken by the development of the electronic media (Appadurai 1996). Whether it is the Zapatistas in the Chiapas or other indigenous people's movements, the electronic media has made it possible for these currently non-state movements to articulate and communicate their positions to larger, even global audiences.

The need for various forms of public or collective decisions extends to many aspects of social life besides that of environmental services. The preservation of cultural heritage is one of them, but this does not include the preservation of negative cultural practices. Cultural heritage has value not merely as tourist attractions, but are important for their various non-commercial use values and even existence or non-extractive value (Serageldin 1999). While tourism may provide a valuable source of income for the preservation of cultural sites, their overall development depends on a combination of private and public decisions, combining commercial and non-commercial use values and non-use values. Enshrining commercial values as the only values will not only lead to problems of equity, but also will seriously affect the supply of various public goods, including environmental services and cultural heritage. A combination of private with public decision-making at various levels, from the village to a watershed and above is needed for any kind of social cohesion. The neglect of these public goods in the transition to a market economy, perhaps is not so much the result of poverty as the neglect of necessary public functions in the first flush of individualised commercialisation and the resulting paradox of isolation. Here too it is a matter of learning from experience, rather than just higher income, in order to institute public decisions on the provision of various local public goods. But such provision, as also social welfare functions, will necessarily be limited by the overall productivity of the local economy. It is as a limiting factor that income comes into play, not in deciding on the actual level of provision of these public goods.

Some Problems Markets Solve

Although the focus is on privatisation as a consequence of the spread of markets, it is useful to take a brief look at the benefits of the spread of markets.

In the example of the leaving of surplus products on the ground for wild animals as it were in Tripura, one factor in this wasteful use of human labour was the absence of markets in which these surplus products could be exchanged, either for other useful products or even for stores of value, like gold or other precious metals. The spread of markets makes it possible to overcome such wasteful use of human labour and other resources.

Further, with the existing low level of local demand for various products, like timber or other forest products, there is not much scope for the intensification of resource use in their production. Extensive methods of production, dependent on use of large forest areas and relying on natural methods of regeneration are quite sufficient for meeting local needs. With the growth of external demand there is a pressure to produce more from smaller areas and with lesser use of labour. There is

an intensification of production, for instance the shift from extensive collection in forests to intensive production in home gardens. This occurs even with regard to products like fuelwood, when the increase in the opportunity cost of women's labour time leads to the necessity of reducing women's labour in domestic activities.[8]

The market, with its associated privatisation, does solve some existing problems in indigenous people's economies. It allows for surplus production to be sold on the market and not just be left in the ground. In this manner it reduces inefficiency in resource use. The growth of extra-local market demand means that intensification of resource use can be carried out beyond that possible when confined to the local market.[9]

FROM ADVENTURE TO ROUTINE

We have seen that among indigenous peoples new social relations are needed to develop productive forces, chief of which is labour, and in order to set up citizen-based systems of social welfare. There is a shift from simple reproduction to extended reproduction and accumulation. New needs are created, along with cosmopolitan consumption and production systems, taking local products to the far corners of the world and bringing new goods into local consumption. The mass media, in particular, has been a key instrument in this development of new needs and forms of consumption. A new combination of private and collective or community systems becomes necessary.

But there is also the experience of individualised hunger and deprivation. Producers often do not know why or for whom they produce what they produce. Everything seems to obey the dictates of an impersonal market.

In moving in new directions, however, people also rely on their own experience. For one who has always lived in the domestic drudgery of patriarchal domination, as young women in the North of Thailand, wage employment, however alienated and even low-paid in the garment factories of Bangkok, seems and is a real advance. Its limitations come up only later in experience. Did this movement of women as employees into light industry or commerce bring benefits to the women concerned? Did it benefit them economically and socially? Did it weaken the grip of patriarchy or merely function within the confines of old familial relations? These questions have been discussed elsewhere, notably in Kabeer (2000) with reference to the similar movement of young women in Bangladesh into garment factories in Dhaka.

Sen's capability approach allows us to see that many things have changed: choices have increased, income and consumption have increased, women's status in the family and society has improved. Young women must have some minimal education in order to get jobs in the garment industry. Is this the factor behind Bangladesh's recent better performance in education for girls than India's? All of this constitutes substantial change in women's familial and social relations, constituting a weakening of patriarchy, if we are willing to recognise that social transformation may not necessarily occur as 'a single discrete moment of rupture with the past, but as a gradual diffusion of new possibilities' (Kabeer 2000: 192). There are discrete

moments of rupture with the past, and there is also the gradual diffusion of new possibilities, expanding the capabilities of persons and changing set rules. For the individual women it is certainly a substantial rupture when they move from being unpaid family workers to even poorly paid factory workers.

To use the analysis of Marshal Berman, modernity starts out as adventure and then turns into routine (1982: 243–48). But the transformation of adventure into deadening routine requires the experience of modernity. This time of experience, perhaps, is a necessary factor in making alternative projects feasible.

Of course, the time of experience is not strictly calendar time. Singular moments can reveal social contradictions that would otherwise not be obvious in more placid situations. Further, those who have gone through such experiences (for instance, people in Euro-America and Japan who have for more than a century lived under the sway of capital, or the urban classes in the developing countries) and seen all its negative consequences for life, are understandably impatient with those for whom the freedom of wage employment seems a liberation and consumption by choice a valuable freedom.

It is no use pointing out that the choice of brands in a supermarket is a tawdry choice, of not much consequence, that consumerism is a curse in making people slaves of the endless change of commercial fashions. For one who only buys a pair of shoes when the older one is unwearable, the choice of being able to buy something not because you absolutely need it, but because you like it—this choice seems and is a higher level of living.[10]

A consumption statement is a limited kind of statement; it is not usually a statement of creativity, of production. But for people whose consumption is severely circumscribed by poverty, the ability to buy something, even when it is not absolutely needed, is a valuable choice, a type of freedom. Here, however, we need to distinguish between two kinds of choices—choice between, say, flavours of ice cream and choice in being able to buy an ice cream at all. The first is a relatively trivial choice, while the second is non-trivial and reflects the difference between necessity and choice—as freedom to enjoy a satisfaction above a minimum level of necessary consumption.

The contradiction in this development of commodity-based consumption, however, cannot be revealed in its absence. In order to 'rise above the din of the market place' (Geeta Kapur 1998) there must first be a market place. And in a sense, one must be in the market place and go through the market place in order to realise its contradictions and thus rise above it.

Dealing with the Negative

With tourism[11] as a form of new market economy, not only have incomes gone up there are also new types of jobs. In a purely agricultural economy, out-migration of the educated is a strong feature. Traditional agriculture does not need their type of education. But with the development of tourism many new kinds of jobs come up requiring education. Travel agencies and guides are some of them. As restaurants

develop, specialised cooks also become necessary. Musicians and other entertainers also get new scope.

All of this leads to more of the educated staying back in the village. This is visible both in Lugu Lake, Lijiang and in Jing Hong, Xishuangbanna. In some cases, e g, in the village of Nanjie, Henan, there are even instances of computer operators and chefs returning to the village from having worked in Beijing or other cities. Tourism can help promote a reversal of the drain of the educated from the villages.

But the development of tourism has ushered in the trade of women's bodies. Beginning in 1997, some people from outside the Mouso community on Lugu Lake, opened beauty parlors and set up sex trade joints, which seriously disturbed the village. In 1998, these beauty parlors were ordered to close their doors in the community. As a result, they moved to the administrative district about one kilometer away and continued their trade. Pushing the parlors outside the village is a way of ignoring the problem, or of 'sanitising' it. It is not a way to deal with the negative effects of the growth of the market.

First, it must be pointed out that while sex tourism is an emerging phenomenon in Yunnan and does need an examination to check the growing trade of the women's bodies; it is, however, only one of many roles women play in the tourism industry. The tourism industry has also provided various decent livelihood opportunities for women. In addition to having the sole responsibility for rearing and financially supporting their children and other dependents, Mosuo and Naxi women have function of hosts, tourist workers, house-keepers, boat rowers, craft and snack vendors, small entrepreneurs and managers of cottages, guesthouses, nightclubs etc.

Second, and more important, the embedded violence of trade of women's bodies does raise the question: What has been done to change women's gender identity of subordination, including that of sexual subordination? Have the progressive, gender sensitive policies attempted to use the threat point to dismantle patriarchal powers and structures that deny poor, rural and indigenous women control over their lives?

The women's movements in the south as well as the north seem to be divided over the issue of sex work and sex trade. We do not wish to discuss these positions of concern here.[12] But the only way to understand this particular form of trade of women's bodies is to understand this practice as an aspect of masculine domination. The masculine domination legitimates a relationship of domination by embedding entitlement to women's sexual service in a supposed biological nature of man. We know by now, largely as a result of feminist analysis, that the instituting of such a masculinity in men's bodies is a social construction. Among indigenous peoples there were generally more equal sexual relations, based on consent; though rape and mass rape have been instruments of gender and class struggle, as among some indigenous peoples in the Amazon, or the tribes of the Pakistan-Afghanistan border.

In pre-capitalist class society, only the nobility and gentry had access to harems; landlords to peasant women; the lords' 'right of the first night'; upper caste men to lower caste women; priests and merchants to temple prostitutes; and so on. The

spread of the market economy, however, transforms sexual service into something that can be bought not just by the elite, but by any man with the money. Sexual service, too becomes a commodity like any other, available to anyone who can pay the price. It is no longer an elite commodity, but becomes a mass commodity.

At the same time, among indigenous women, the destruction of indigenous welfare systems of reciprocity and the rupture of access to productive resources, push destitute women, with their continuing responsibilities for household food security, into selling their bodies for sexual services.

This is in our view, a clear negative effect of the development of market relations. However, this effect of market relations must be seen in conjunction with the establishment of masculine domination and its sexual contract, whereby men are enabled to have access to women's sexual services, when they can pay the price for their sexual services. Dealing with it is to deal with patriarchy, its forms of masculinity and the 'sexual contract' (Pateman 1988); not to acquiese in it as an inevitable phenomenon accompanying the spread of the market. On the other side, it is also to deal with the vulnerability of women, who continue to have responsibility for food security, while suffering from the decline of earlier forms of reciprocity and the loss of assured access to productive resources.

Masculine Domination in Economic Affairs

Whether formally or informally, openly or covertly, establishing new norms are the result of political struggle. Forest-based communities have gone through, and in some there are still occurring, protracted struggles to establish patriarchal norms. As analysed in detail elsewhere (Kelkar and Nathan 1991; Nathan, Kelkar and Yu Xiaogang 1998) the demonisation of women, often in the form of persecution for practising malevolent witchcraft, is a form of the struggle through which men excluded women from the spiritual and material management of community affairs.

With the growth of the market, however, what we see is men taking charge of economic affairs too. While small-scale and localised sale of NTFP remains in women's hands, the more important timber sale is controlled by men. Even in formally matrilineal communities like the Khasis of north-east India, this has meant a big shift in control over household income. Not only is the control over income in men's hands, the growing proportion of so-called self-earned as against ancestral property due to accumulation from timber income, means that property too is increasingly controlled by men.

In one way or the other, with the growth of markets, external economic relations dominate domestic relations of production, although the domestic sphere, contributed to and controlled by women, remains an important coping structure in times of economic crisis (as happened during the Asian crisis, see Nathan and Kelkar 1999). Funds for accumulation are increasingly obtained through banks or government sources. Men's role in managing the family's external affairs easily extends into such economic matters. In the matrilineal, even matrifocal Mosuo of

Yunnan, China, the growth of tourism on Lugu Lake has increased the say of men, who secure the finance for constructing guest houses, etc.

The increase in men's say in family economic matters is coupled with their continuing control over village and other community affairs. While earlier men's monopoly in village and community affairs was counter-balanced by women's role over the economic and domestic sphere, with the growth of the market and the growing domination of external economic relations over the domestic economy, women lose their countervailing power. All hierarchies are step-by-step controlled by men.

The change to men's domination is as much a civilisational change as any of the others we have discussed here. The first phase of this change which establishes men's monopoly over the spiritual and material management of community affairs predates the spread of the market. But the second phase of this civilisational change, in which men use their domination of external relations to establish control over economic affairs, is very much the product of the spread of market-processes in which the external economy dominates the domestic sphere.

To illustrate this point we will again take the example of the Mosuo. Before the contemporary period, men's external role was limited to long-distance trade and the monkhood in pre-Liberation China. Long-distance trade along the 'Silk Road' was a chancy affair, and did not yield a regular income. The monkhood, of course, was a way of using surpluses, rather than of accumulating. With Liberation, men's roles changed to taking up education and political affairs. Till the growth of the market system, these roles too did not yield any substantial income. But with the growth of the market and the rise of the tourist trade, these external connections are now crucial in securing bank loans and other sources of finance. Women's management of domestic affairs has now turned more into drudgery. Though accumulation and inheritance are in the female line, it is men who are increasing their roles in families' strategic decision making.

The new norms of masculine domination are the product of two processes. On the one hand, there is the 'learning' from other communities and the state. On the other hand, there is also the internal struggle between the genders within these communities. The civilisational change we see is neither merely imposed from outside, nor it is entirely the result of internal conflicts. Both the internal and the external factors work together to bring about this change.

Simultaneously, and sometimes often in the same communities, there are also struggles to overcome these new, patriarchal norms. 'Taking account' of gender relations is not something that develops by itself. The inclusion of women in management committees also results from political struggle of various kinds. The difference in these gender struggles is often that external agencies too have a substantial role to play. For instance, external project rules requiring the inclusion of women in committees, or legislation on the same matter, are important factors in bringing about the changes in gender relations. Here too, what is necessary to note is the dialectical relation between internal struggles and external enabling rules and decisions. Each one feeds into the other.

Is Masculine Domination Inevitable?

We saw that with the growth of the market there is a shift from men's domination of the spiritual and political realm to domination in the economic system, including the unravelling of matriliny. But is it inevitable that there be masculine domination? In a way this question is parallel to the one posed earlier: is privatisation inevitable with market-based growth? Our answer there was: no, but the transition from a kinship-based collectivity for subsistence to a citizenship-based collectivity for accumulation seems impossible, given the lack of adequate social structures (social capital) for such a direct transition.

In the arena of masculine domination, however, the situation is somewhat different. Even while there has been a spread of masculine domination among indigenous peoples with relatively more equal gender systems, there has also been a counter-movement of women's resistance to gender inequalities. These movements of resistance to gender inequalities make it more possible that inheritance and property systems will not mirror those in the plains' societies, with their millennia long history of strong patriarchy.

To illustrate the above, among the Mundas in Jharkhand the produce of swidden is understood to be more the domain of women. But rice is exclusively men's province. Women cannot take out rice from the storage bin; not even for household food needs. If the man is absent, women will borrow rice from neighbours but not touch the household rice bin. Wet rice is then quintessentially man's domain, and a strengthening of masculine domination is historically associated with the spread of wet rice cultivation.

Does this mean that any spread of wet rice cultivation must necessarily lead to masculine domination? In the absence of any other intervention, it is likely that this will happen. But nowadays states themselves have laws for equal land rights, e.g. Chhattisgarh in India, among others. In China too there is some land right for women in the household responsibility system. These rights are not easily secured, but their existence does make it possible for women's mobilisation to succeed in realising these rights.

The point is, unlike in the case of privatisation, there is no incentive or productivity case for men's sole ownership of property. If anything, the incentive case works on the other side—women's ownership of land and other productive resources would increase their incentive to labour more, better, and more productively and also use and develop their own knowledge of production systems.[13]

Similarly, the laws for women's representation in village councils have had their effect in changing the formerly male-dominated village assemblies. Equality of voting rights as citizens has led to village assemblies in Munda villages no longer distinguishing between senior (*khuntkatti*) and junior (*praja*)[14] lineages, or even between women and men.

Privatisation in the present situation can go along with the assertion of relatively more-equal gender rights, and even with measures of democracy, based on equality before the law. Privatisation and the intensification of production today do not have to mimic Bronze Age transitions to strongly patriarchal systems.

IS PRIVATISATION INEVITABLE?

There is no a priori reason why globalisation through the market must lead to privatisation. The introduction or all-pervasiveness of the market does dissolve the old system of clan or kinship-based access to productive resources. But what new system comes up in its place, depends not on the factor of trade itself, but on the nature of the older system of production relations.

In the examples given above the basic economic activities are carried out not at the level of the community but at the individual household, with a lesser, more enabling role for community organised labour. For instance, there may be community organised labour in clearing forest for cultivation, but all the other aspects of cultivation are organised by the household, with forms of labour exchange. The higher level of community organisation does exist in setting norms for distribution of land, keeping certain portions as community reserves, and so on. The higher level also exists in rituals, a level that has been replaced in most of north-east India by the church. Naga villages, for instance, have built magnificent churches with communal labour, but their economic activities are organised at the level of the household.[15] Whatever trade was carried out before, the large-scale intrusion of trade was also at the level of the household. In such a situation of a largely household-based economic production system, it is no surprise that large-scale trade led to privatisation.

On the other hand, we should note counter examples in Yunnan Province of China, where the market has not led to privatisation of forests. While in China as a whole the introduction of the 'household responsibility system' was followed by the distribution of collective (but not state-owned) forests to individual households, the various indigenous peoples of Lijiang County, other than in the locations close to the town, did not distribute their forests to the households. They argued that they had long traditions of collective management of forests, with well-established norms for regulating access to and use of forests, and did not want to divide up their forests among households. When these operative units, what are called administrative villages and used to be work teams in the old commune system, received permission to carry out logging, they did this collectively. Of course, logging wages were individual. But the residual income, after paying state taxes and all other costs, went to the administrative villages, which used this income for a variety of infrastructure, educational and welfare functions.[16]

Some Mexican ejidos have also similarly developed collective logging enterprises. Further, faced with the threat of competition due to the opening up of the Mexican market, they have also moved up the value chain to selling not logs or even cut wood, but manufacturing furniture of good quality (Land Tenure Centre and Institute for Environmental Studies 1995).

What is needed for such a collective response to the market? The villages must be well organised, in the sense of being able to establish and implement norms of access to and use of the forests, along with sanctions for breaking those norms. In particular the harvesting of timber needs to be decided upon and carried out collectively—a system of collective ownership with individual harvesting will soon degenerate into an unregulated commons and be subject to competitive over-harvesting (as was the

experience with some 'public mountains' in Lijiang, where harvesting of timber was legally not allowed, see Yang Fuquan, Xi Yuhua and He Zhonghua 2002). To put it briefly, the collective institution must be able to overcome the 'free rider' problem and institute norms of common property functioning. For such well-functioning collective systems to be sustained in the market system, it is also necessary that there be a basic agreement within the community and between the leaders and the rest on the goals of economic development.

In a sense, what is needed is a 'developmental state' at the micro-level, with a corresponding trust based on an agreement on goals. There are richer and poorer in these villages (and also in the few other collective villages in China, e.g., those studied in Nathan and Kelkar 2001). But what is common to all of them is that the poorest also gain a substantial measure of the benefits from the villages' economic enterprises, whether in logging or industry.

The factors of internal organisation of the community to overcome 'free rider' problems and of trust based on shared development goals, are then necessary if village communities are to evolve as collective institutions within a market system. Can such collective institutions develop without having experienced the negative consequences of privatisation?

Marx in his notes on the 'Russian road'[17] mentioned the possibility of a direct transition from the traditional Russian commune to socialism, without an intervening period of capitalism.[18] One of the factors on which this possibility rested was the worldwide condition of the socialist movement. More than a century after Marx, at the beginning of the twenty-first century, with the collapse of twentieth-century, public sector, statist attempts at constructing socialism, the contours of an alternative to capitalism have yet to be re-established, even if there are signs of a growing dissatisfaction with capitalist market fundamentalism in the developed capitalist countries, often seen as opposition to 'globalisation'.

Our analysis above points to another and more fundamental factor which makes unlikely such a direct transition from traditional communal forms of organisation to a post-capitalist alternative—that is the difference between subsistence-oriented management of production for use and one centred on accumulation, driven by production for gain, between simple and expanded reproduction, and the different management norms needed for the two.

There is then the further empirical question of the extent to which the collective system of regulating production has disintegrated. In none of the areas studied do we find a collective production. While land ownership may be acknowledged to be that of the clan or community, production has for as long as we know, been basically organised by the family or household. Even the periodic redistributions of land have long since ceased. 'Once these redistributions lapse of themselves or in virtue of a special decree, you have a village of peasant small-holders' (Engels, 1894 in 1969: 402).

What kept the village together as a community were the systems of reciprocity and redistribution (Polanyi 1944: 47). In the north-east India case study we have seen how the systems of reciprocity and redistribution declined and enabled the rise of individual accumulation.

LAISSEZ FAIRE OR 'NEO-LIBERAL' TRANSITION

In one way or the other, it is a big step from management that is based on simple reproduction to one that aims at accumulation, at expanded reproduction. How the new norms are established, the struggles of conflicting sections of the society for or against these norms, the ways in which new practices are set up—these are all important issues for study.

In this 'Great Transformation' (Polanyi 1944), or civilisational change, old norms are falling apart or are clearly inadequate for the new kind of behaviour. New norms are not yet in place. This process is proceeding in a laissez faire manner. In this original accumulation, the poor including women, who possess much less of economic and political resources, particularly suffer. In the usual manner of laissez faire economics and politics, market-induced privatisation would end with its benefits going disproportionately to the more powerful, who become the new rich. But to the extent that ownership of land and allied resources is widespread, to that extent the benefits of privatisation of the commons would be also more widespread.

Some new institutional set up and new norms are needed in order that the benefits are spread more widely. 'Contrary to what was supposed by theorists of the original contract, only a contract can free a group from the contract-less constraint of social mechanisms that is sanctioned by laissez faire' (Bourdieu 1990: 111). In the first place, measures are needed to enable the orderly distribution of lands for private use, along with setting up nested public decision institutions to bring under local common management, the areas of 'critical natural capital', whether they be forests, watersheds, and so on. Along with that, the growing inequalities in access to productive resources and masculine domination need to be addressed. In any situation there are always those who benefit from the existing norms or from the laissez faire situation following the breakdown of those norms. Those who benefit from the existing norms (or lack of norms as the case may be) will oppose the setting up of new norms. This resistance will need to be overcome by struggle/mobilisation of those who are likely to benefit or expect that they will benefit from the new norms. If the new norms are necessary for building the capability of the community deal with its internal forest and other management problems, then we can say that political struggle is necessary for setting up new norms, or in moving from a laissez faire situation to one of accepted norms as the case may be.

NORMS OF NON-MARKET ACCESS TO PRODUCTIVE RESOURCES

Take the situation in the Khasi areas of Meghalaya. In some villages, when the village headmen (sardars) or other village notable men and their families were grabbing community forests and registering them as their own, or more often their wives', private lands, the poorer sections of the community, who were being left out of this process, mobilised themselves and forced a change in the rule regarding community forests—the community forests were then divided up more or less equally among all members of the village community. This village-level mobilisation instituted new

forms of ownership and control of former community forests, which led to more care of the forests, management practices of various kinds and even enrichment planting, all of which increased the community's capability to efficiently manage its forests.

This changes the usual pattern of enclosure being a 'revolution of the rich against the poor' (Polanyi 1944: 34). Instead we get a more egalitarian distribution of community assets. Of course, in both cases, there is a productivity enhancing effect. We saw above in the Khasi case that enclosure of the commons through distribution led to improved management practices. Polanyi too points out that enclosures in England increased the yield of the land (ibid: 34). What these results show is that the change in norms led to an increase in productivity, something that the indigenous peoples certainly need.

The spontaneous solution of privatisation, which would be more sustainable than what now exists, is the laissez faire trend that is at work. But privatisation works against those who do not have any land or have less land. Access to common forests is important for the poorest, particularly for single women, i.e., widows or divorced women. Privatisation is inevitably inequitable.

The other attempted solution, as in various Joint Forest Management (JFM) experiments in India, is to institute village-level control over access to NTFP. But with varying levels of dependence on forest products this is difficult to implement and also leads to inequity. The better-off sections and those relying less on forest resources for income, very easily decide to set aside areas of forest for regeneration. As repeatedly pointed out by Sarin (e.g., 1996 and 2001) with regard to women who collect fuel wood for use or sale, such restrictions go against the poorest, usually single women.

A more viable solution to the problem might be to organise at the level of producer or user groups. Given that there are many alternate uses of forest resources, and many different types of users, this would not be easy to implement. But it has been tried out in two types of cases. The first, which is quite frequent in China, is the lease of the land to the highest bidder for developing orchards, with the condition that it cannot be used for agriculture. With this privatisation of formerly common land, investment and regeneration can follow. But the poor are left out of this process of enclosure of the commons. This solution is also often discussed in India in the context of so-called wasteland development.

Another approach is to lease the degraded forestland, not to the highest bidder, but to the poorest sections of the village, those who depend on common lands more than others in the village. This has been tried out in at least one case, the IFAD project of 'Leasehold Forestry' in Nepal.[19] In this project, as opposed to the usual community forestry project, the (degraded) forestland is leased out to groups of the poor to be developed as their common resource. Such a relatively homogenous group can both set up rules about labour contribution and sharing of income/resources, and monitor the observance of the rules and impose sanctions for breaking accepted rules. Since the returns from the enrichment planting and other investment measures, accrue to the group itself, there is a connection between investment and returns.

Yet, another approach could be to combine group access with family labour. While certain tasks, like guarding or 'social fencing', through control of grazing, may be carried out at a group level, the major labour of tending plots and extracting products could be family based. This would have the advantage that group organisation could be used to establish user rights, while family labour would be the basis of income distribution. Credit could also be group based, with individual liability. The level of social organisation needed to make such a system function may be less than with the full-fledged group or collective system.

The 'Extractive Reserves' system implemented in a number of South American countries is just such a combination of collective and family labour. 'The extractive reserves are administered communally. Although not allocated in individual plots, families have the right to exploit the resources along their traditional tapping routes (the *colocacoes*) within the reserve' (Diegues 1998: 73). The restriction of families to specific resources for tapping can ensure that the producers take care of regeneration in the course of tapping and invest sufficient labour for regeneration of the trees in their areas.

In the context of developing production of NTFP, what is important is to end the largely prevalent current situation of no link between investment and returns, because of which investment, whether of labour or other resources, is not forthcoming in the development of production and leads to depletion of the resource. Problems of excludability and subtractability are not adequately addressed by the existing management systems, creating what are effectively open access conditions. Further, it is also necessary to address these problems in such a manner that the poorest do not lose access to resources. This can be achieved by combining the elements of common management, as mentioned above in fencing, etc., with family-based direct labour inputs.

The old forms of social capital of these indigenous peoples were based on reciprocity and non-accumulation, as discussed above. These forms of social capital are no longer functional and can be clearly seen to be breaking down in the face of changes in the nature of economic activities from largely self-production for subsistence to market-oriented production for accumulation. New forms of social capital are needed. These new forms of social capital may not be related to the older ones and may well also require some prior experience with market-based, individualised systems for their formulation. There may be no easy, leave alone automatic, transition from kinship-based collectivities to newer citizen-based collectivities.

Recreating the Community

Accepting the necessity of the market system for the intensification of production, accumulation and the increase of incomes, does this have to be done in a laisses-faire, or as it is nowadays called, a neo-liberal (leave it all to the market) type of system? We have already seen that in the cases of provision of public goods, like local environmental services, and the preservation of cultural heritage beyond

the commoditisation of ethnicity, various forms of public intervention would be needed. Similarly in the matter of food security too, various new forms of public intervention would be needed to deal with the limitations of the market.

At the economic level it is not necessary that integration into the market necessarily erode and destroy all forms of community interaction. Of course, the market is likely to destroy the traditional community. With conscious intervention, however, the community can be recreated. But the nature of the interaction would have to change, from the earlier kinship-based reciprocity and redistribution welfare systems to a new form of citizen-based social welfare system, combining state and community-based mechanisms. Forms of collective functioning are also needed for maintaining critical natural resources. Forms of collective entrepreneurship could also be developed. The relatively more equal gender relations of the indigenous peoples are certainly being eroded, but more productive technologies and market systems do not have to necessarily enshrine patriarchy.

Even within the capitalist market there can be enterprises with a variety of internal relations—contrast the 'hire and fire' method of American capitalism with the until-recently 'life-long employment' of Japanese capitalism (at least for its core of male, permanent workers) and also the fairly elaborate social welfare systems of the collective villages and collective enterprises of China. Technology and the market do not dictate even the full form of enterprise. But the extent to which they are able to institute different and more welfare oriented forms of internal relations, depends crucially on the productivity, and because of globalisation, even comparative productivity of these enterprises. With the decade-long stagnation in Japanese productivity and thus with the loss of these firms' advantage over their competitors, Japanese firms are being forced to abandon the more expensive system of life-long employment.

Developing citizen-based collectivities for public action on food security would need to move from 'reciprocity' to taxes in order to provide 'safety nets'. As food itself becomes less of a problem, it is necessary to intervene in public provision of education and health care. This requires that local communities have unequivocal rights over portions of tax revenues. The Chinese devolution of certain taxes to the local level (the agricultural products tax, for instance) has been seen to have beneficial effects on local accumulation. It is for local communities and their authorities to also use these revenues to fashion new forms of human welfare.

Productivity may make certain levels of welfare expenditures possible, but it does not necessarily have to occur. Whether or not more people-friendly welfare systems are instituted will depend on the extent of struggle for such systems, a struggle that now, however, switches from the formerly national scale to the new global scale. Leave alone relatively weak indigenous peoples, even strong states are losing their ability to meet their former welfare commitments. With the loss of autonomy with regard to interest, inflation and exchange rates, the one arena of competition among states is to reduce costs by cutting welfare expenditures. As a result it is a race to the bottom with regard to welfare commitments even in developed countries, negating commitments that were gained after long battles in the last century.

In a system of potentially unrestrained movement of capital, with equal treatment for capitals, irrespective of their origin, there is no escaping the conclusion that a global working people's response, a global New Deal, or a global social contract (Castells 2000: 253) can be the only alternative to a race to the bottom. This surely will be difficult to achieve. But the creation of alternatives in globalisation need not stop with the creation of 'safety nets', which after all are ways of aiding those who have fallen below. A more equal distribution of former community lands would mean doing away with, for instance, the grabbing of land by the politically influential, as now happens. Land reform, in one way or the other, is a necessary part of a more democratic alternative in globalisation. This could itself be fashioned at a local level, in villages or groups of villages.[20] What this means is that unlike in the neo-liberal doctrine, there should be a non-market access to land (or forest) as a critical productive resource. And this access should be not for the 'household' or the 'family' but for the individual adult, woman or man.

While land reform would enable a more equal distribution of income from land, more and more it is education that becomes a crucial factor in inequality. Income from land may enable a more equal access to land but may not in itself be enough. This can be observed, for instance, in Yunnan, China, where inequalities in land distribution are not as high as in access to higher education and thus to non-farm incomes. The removal of the earlier state-based access to education and its replacement by various forms of fee payment have increased inequality in access to education beyond the compulsory primary level. The ban on logging itself led to higher dropouts among children of upland Yi versus valley-bottom Naxi communities. Among the Hani in Xishuangbanna too the necessity of private payment of fees led to a higher dropout among the already-poorer sections of the villages. Of course, given the prevalence of preference for sons there was a clear bias against girls in school dropouts.

Promoting higher education, however, requires more than just state support. It also requires the creation of job opportunities; otherwise the result would only be the frustation of educated unemployment. This is where the promotion of non-agricultural employment, as in tourism or cultural products, or new forms of agriculture and agricultural processing, would have a beneficial effect in promoting employment for the educated. At the level of public action, however, it also requires a change in the approach to high school education—primary education and literacy are now accepted as public goods whose consumption cannot be restricted by private, household decision. In a globalising world it is necessary to move up the ladder to high school education as a first step.

Similarly, in the contemporary situation heavy medical expenses are often the route to falling into poverty. In a situation where health care costs are privatised, they become a major factor in the near-poor falling into the category of the poor. Indigenous peoples areas are characterised by low levels of state-provided social welfare expenses. Their road systems too have historically been designed for extraction of timber and other products. The levels of education and health infrastructure available in the hills are significantly lower than in the plains. Increasing the health

and education infrastructure in the hills requires greater public investment in the above, something that the allocation of tax revenues on timber and other forest products to the indigenous peoples' governments is likely to promote.

Thus, we see a necessity of intervening in the privatisation process in a number of ways—public decision for locally needed environmental services, combined with market-based provision of environmental services for external needs; public decision for preservation of cultural heritage, beyond the limits of that promoted by the commoditisation of culture; land reform to enable a more equal distribution of land-based income; mobilisation and intervention to create more equal gender relations; higher public provision of education and health care needs. All of these change privatisation from a straight forward laissez faire or neo-liberal system to one that is less unequal. They, however, are alternatives in globalisation—not an alternative to globalisation.[21]

The civilisational transformation of indigenous people's economies and societies is occurring at a time when the increased stratification that historically accompanied intensification carries with it some factors for overcoming this stratification.[22] In the contemporary world, as compared to that of urban civilisations after the Bronze Age, there is not just elite, specialised consumption. Mass production carries with it mass consumption and mass culture. The power of mass media in this regard is increased by the growth of universal literacy, as against the earlier creation of a literate elite. Adult franchise means that the economically marginalised cannot be just ignored. Gender relations and family systems, too, are not of the kind that just reproduce earlier forms of patriarchy but are tending in the direction of more equal gender relations. Finally, forms of civil society, bringing together the indigenous peoples all over the world, and linking them with other global civil society organisations are now the order of the day. All of this makes possible a greater spread of benefits, if not also a quicker overcoming of limits.

Notes

1. See Nathan, Kelkar and Yu Xiaogang (1998), for a detailed account of the above.

2. The following is based on discussions with Sanjay Bosu-Mullick.

3. The role of urban migration in escaping from the social sanctions meted out to supposed *thlen* worshippers was pointed out by Tiplut Nongbri, personal communication.

4. For details see Nathan (2002).

5. Nathan (2003).

6. This observation is somewhat different from that of Ella Bhatt and Renana Jhabvala, who find a staticity in women artisans' work: 'Their traditions provide them with knowledge about local conditions and materials and about problems specific to their techniques. But this know-how is neither built into a wider knowledge system nor taught as part of it: so, over time, there is a danger of parts getting lost in transmission. To avoid that, workers are taught to regard each step in the process—whether ritualistically or actually productive—as being sacrosanct; no explanation is given about its necessity. This creates a mind-set which venerates the past and distrusts the change. This is particularly true of women who, much more than men, are supposed to be the keepers and not the questioners of family traditions'

(quoted in Raj and Kapoor 2002: 11). The difference might be due to the greater role of ritual in caste India as compared to post-monarchy Laos.

7. See the note in a standard work on the history of western art, of the early Fauvist works of Matisse 'based in part on ... exposure to non-western sources, such as the art of black Africa' in Arnason and Prather (1998: 131). Or that Picasso, working on his path-breaking *Les Demoiselles d'Avignon*, exposure to examples of African and Oceanic sculpture and masks, provoked a 'shock', he said. 'It was at this time that he altered the faces ... from the 'Iberian' countenances to violently distorted, depersonalised masks' (ibid: 187). Picasso once said that African sculptures were 'the most powerful and the most beautiful of all the products of the human imagination' (ibid: 287). It was exposure to sculptures of Africa and Oceania that enabled western painting and sculpture to break with the natural representation of body and muscular structure.

8. For a fuller analysis of this phenomenon see Nathan and Kelkar (1998).

9. See Johnson and Earle (2000), for a similar discussion of the problems solved by the market.

10. An NGO worker, Md Sultan of BRAC in Bangladesh, when told about the fads of consumerism, remarked, 'How nice it must be to buy something even when you do not absolutely need it.'

11. The question of tourism in Yunnan is discussed in more detail in Kelkar and Nathan (2003).

12. They are discussed in more detail in Nathan and Kelkar (2003).

13. A few examples in Africa do show that there is a clear difference in women's efforts in weeding, leading to significant productivity differences, on their own farms and on their husbands' farms.

14. The *praja* are the families of women with in-marrying husbands, *ghar jamai*.

15. 'It is not cooperation in wealth-producing labour by means of which the commune member reproduces himself, but rather cooperation in labour for the communal interests (imaginary and real), for the upholding of the association inwardly and outwardly' (Marx 1973: 476).

16. See Nathan and Yu Xiaogang (2002), for details.

17. 'But does this mean that the development of the "land commune" must necessarily follow the same lines under all circumstances? Certainly not. Its constitutive form allows the following alternative: either the element of private property implied in it gains the upper over the collective element, or vice versa. Everything depends upon the historical background in which it finds itself.... Both these solutions are possible a priori, but both obviously require entirely different historical environments' (Marx 1881, in 1970, 3: 156).

18. One of the authors of this paper had earlier taken the cue from Marx's analysis in arguing for a similar possibility for Jharkhand.

19. See Suman Subba and Aneela Babar (2000).

20. See the proposals in Dev Nathan (2001) carried over into N. C. Saxena (2001).

21. The scheme put forward here has a lot in common with that proposed by Arthur MacEwan (2000) for a more equal and democratic form of market economy and Jean Dreze and Amartya Sen's notion of 'participatory development' (Dreze amd Sen 2002).

22. This passage owes much to Johnson and Earle (2000: 387).

References

Appadurai, Arjun. 1996. *Modernity at Large*. New Delhi: Oxford University Press.

Arnason, Harvard H., and Marla F. Prather. 1998. *History of Modern Art*, Fourth Edition. New Jersey: Prentice Hall and Henry N Abrams.

Berman, Marshall. 1982. *All That Is Solid Melts into Air: The Experience of Modernity*. New York and London: Penguin Books.

Bourdieu, Pierre. 1990. *The Logic of Practice*. Cambridge: Polity Press.

Broude, Norma. 1982. 'Miriam Schapiro and 'Femmage': Reflections on the Conflict between Decoration and Abstraction in Twentieth Century Art'. In *Feminism and Art History: Questioning the Litany*, eds Norma Broude and Mary Garrard. New York: Harper and Row.

Castells, Manuel. 2000. *The Network Society*. Oxford: Blackwell Publishers.

Chichilnisky, Graciela. 1994. 'North-South Trade and the Global Environment'. *American Economic Review*, 84, No. 4. September.

Das Gupta, Malabika. 2002. 'Objective Function in Economic Models of Decisions on Production: Evidence from Swiddeners of Tripura'. *Economic and Political Weekly*. Vol. 37. No. 34. 24 August.

Diegues, Antonio Carlos. 1998. 'Social Movements in the Remaking of the Commons in the Brazilian Amazon'. In *Privatising Nature: Political Struggle for the Global Commons*, ed. Michael Goldman. London: Pluto Press.

Dreze, Jean, and Amartya Sen. 2002. *India: Development and Participation*. New Delhi: Oxford University Press.

Engels, Frederick. 1894 in 1969. 'On Social Relations in Russia'. In *Karl Marx and Frederick Engels, Selected Works in Three Volumes*. Volume 2. Moscow: Progress Publishers.

Goody, Jack. 1998. *Food and Love: A Cultural History of East and West*. London: Verso Press.

Guo, Dalie. 2002. 'A History of Naxi Forest Ecology and Management'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. Forthcoming.

He, Zhonghua. 2000. 'Forest Management in Mosuo Matrilineal Society, Yunnan, China'. In *Gender, Technology and Development*. Vol. 5. No. 1. New Delhi: Sage Publications.

Jameson, Frederic. 2000. 'Philosophy of Globalisation'. In *The Cultures of Globalisation*, eds Frederic Jameson and Masao Miyoshi. Durham: Duke University Press.

Johnson, Allen W., and Timothy Earle. 2000. *The Evolution of Human Societies*, Second Edition. Stanford: California University Press.

Kabeer, Naila. 2000. *Bangladesh Women Workers and Labour Market Decisions: The Power to Choose*. New Delhi: Vistaar Publications.

Kapur, Geeta. 1998. 'Navigating the Void'. In *The Cultures of Globalisation*, eds Frederic Jameson and Masao Miyoshi. Durham: Duke University Press.

Land Tenure Centre and Institute for Environmental Studies. 1995. 'Case Studies of Community-Based Forestry Enterprises in the Americas'. Presented at the Symposium. 'Forestry in the Americas: Community-Based Management and Sustainability'. University of Wisconsin-Madison. 3–4 February.

MacEwan, Arthur. 2000. *Neo-Liberalism or Democracy?* Dhaka: The University Press Limited.

Marx, Karl. 1973. *Grundrisse*. Translated by Martin Nicolaus. Harmondsworth: Penguin Books.

_____. 1881in 1970. 'First Draft of the Reply to V I Zasulich's Letter'. *Karl Marx and Frederick Engels, Selected Works in Three Volumes*. Vol. 3. Moscow: Progress Publishers.

Marx, Karl and Frederick Engels. 1845–46 in 1970. 'Feurbach: Opposition of Materialistic and Idealistic Outlook'. In *Selected Works*. Vol. 1. Moscow: Foreign Languages Publishing House.

Nathan, Dev. 2001. 'Land Systems in Meghalaya'. Rome: A Study for the Asia Division, IFAD.

____. 2002. 'North-east India: Markets and the Transition from Communal to Private Property'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. Forthcoming.

____. 2003. 'Responding to Globalisation: Women, Poverty Reduction and Livelihoods Diversification on the Lao-Thai Border'. New Delhi: A study for the IFAD Gender Mainstreaming in Asia Project.

Nathan, Dev, and Govind Kelkar. 1999. 'Agrarian Involution, Domestic Economy and Women: Rural Dimensions of the Asian Crisis'. *Economic and Political Weekly*. Vol. 34. No. 19. 8–14 May.

____. 2001. 'Case for Local Forest Management: Environmental Services, Internalisation of Costs and Markets'. *Economic and Political Weekly*. Vol. 36. No. 30. 28 July.

____. 2003. 'Reducing Vulnerability to HIV/AIDS in Asia: The Role of Rural Development'. Rome: A Study for the Asia Division of IFAD.

Nathan, Dev, Govind Kelkar, and Yu Xiaogang. 1998. 'Women as Witches: Struggles to Change Gender Relations'. *Economic and Political Weekly*. Vol. 33. No. 44. 31 Oct.–6 Nov.

Nathan, Dev, and Yu Xiaogang. 2002. 'Timber and Local Accumulation in China'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. Forthcoming.

Navjot Altaf. 1998. 'Discursive Invisibility'. Bangkok: Paper read at Asian Institute of Technology.

Nongbri, Tiplut. 2002. 'Culture and Biodiversity: Myths, Legends and the Conservation of Nature in the Hills of North-East India'. Unpublished.

Padoch, Christine. 1995. 'Forest Management in West Kalimantan'. Honolulu: East-West Centre.

Pateman, Carole. 1998. *The Sexual Contract*. Stanford, California: Stanford University Press.

Peters, Charles. 1994. *Sustainable Harvest of Non-Timber Plant Resources in Tropical Moist Forests: An Ecological Primer*. Washington, USAID: Biodiversity Support Programme.

Platteau, Jean-Philippe. 1991. 'Traditional Systems of Social Security and Hunger Insurance: Past Achievements and Modern Challenges'. In *Social Security in Developing Countries*, eds Ehitsham Ahmed, Jean Dreze, John Hills and Amartya Sen. New Delhi: Oxford University Press.

Polanyi, Mark. 1944. *The Great Transformation*. Boston: Beacon Press.

Porodong, Paul. 2001. '*Bobolizan*, Forests and Gender Relations in Sabah, Malaysia'. In *Gender, Technology and Development*, 5, 1. Jan.–April 2001. New Delhi: Sage Publications.

Raj, Ashok, and Rakesh Kapoor. 2002. 'Gloablising Handicraft Market and the Marginalisation of Women Craft-workers'. New Delhi: Paper presented at UNIFEM and SEWA Bharat Workshop on 'Globalisation and Its Impact on Women Workers in Informal Economy'. December.

Sarin, Madhu. 1996. 'Who Is Gaining? Who Is Losing? Gender and Equity Concerns in Joint Forest Management'. New Delhi: Working paper by the Gender and Equity Sub-Group, National Support Group for JFM, Society for Wasteland Development.

____. 2001. 'Empowerment and Disempowerment of Forest Women in Uttarakhand, India'. *Gender, Technology and Development*, 5, 3. Sept.–Dec. New Delhi: Sage Publications.

Saxena, N. C. 2001. 'Poverty in Meghalaya'. Rome: A Study for the Asia Division, IFAD.

Serageldin, Ismail. 1999. 'Cultural Heritage As Public Good: Economic Analysis Applied to Historic Cities'. In *Global Public Goods: International Cooperation in the 21st Century*, eds Inge Kaul, Isabelle Grunberg and Marc A Stern. New York and Oxford: Oxford University Press.

Singh, K. S. 2002. 'Changing Attitude to Forest and Nature: A Historical Review with Focus on Jharkhand'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. Forthcoming.

Subba, Suman, and Aneela Babar. 2000. 'Study of Leasehold Forestry in Nepal'. Rome: Gender Mainstreaming in Asia Project, IFAD.

Tiwari, B. K. 2000. 'Non-Timber Forest Produce of North East India'. *Journal of Human Ecology*. Vol. 10.

Walter, Pierre. 2002. 'Ecotourism and Forest Management in Manmo Hani Village, Xishuangbanna, China'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. New Delhi: Sage Publications.

Yang Fuquan, Xi Yuhua, and He Zhonghua. 2002. 'Tensions in Local Forest Management among Naxi and Mosuo in Yunnan, China'. In *Global Flows and Local Places*, eds Dev Nathan, Govind Kelkar and Pierre Walter. New Delhi: Sage.

24

Behroonguda

*A Rare Success Story in Joint Forest Management**

Emmanuel D'Silva and B. Nagnath

I

History

The year was 1990. 'There was no timber, no firewood. Our livelihood was threatened', recalls a villager of Behroonguda, one of the 77,000 hamlets in the state of Andhra Pradesh. The worried inhabitants gathered one day and resolved to protect the forest at any cost and take whatever steps were needed to rejuvenate the natural resources around them.

The tribal villagers even scripted their vision of the future in their native Gondi:

Dilli tha sarkar manga vayana
Keda ayo vada-kedathe pandtha
Pandi na palun make mandaana
Mava nathe mava sarkar

(The government in Delhi should come to our doorstep
The forest should become our backyard
The fruits of the forest should be ours
Our government should be in our village)

---

* *Economic and Political Weekly* 47 (6), 9 February 2002.

The views expressed in this article are those of the authors and should not be attributed to the organisations they represent. The authors thank Ajit Banerjee, John McKinnon, S. D. Mukherji and Mark Poffenberger for reviewing and commenting on the article. Assistance from Doris Capistrano and the Ford Foundation, which helped to defray a part of the research expenses, is acknowledged with thanks. This article is drawn from a larger working paper titled, 'Local People Managing Local Forests: Behroonguda Shows the Way in Andhra Pradesh, India', Asia Forest Network, Working Paper No. 3, Santa Barbara, California, US, October 1999.]

Thus were the humble beginnings of a community-initiated forest protection committee. Official sanction came three years later.

1993 was the next landmark year for Behroonguda. Timber thieves from the neighbouring villages had not taken kindly to the formation of a committee to protect the forest and had waged war against the Behroonguda inhabitants. In one battle, the thieves came armed with chili powder (to blind the villagers into submission) and the bone of a camel (to scare them with *voodoo*). However, the local residents lay in wait and thrashed the intruders. Peace returned to the forest of Behroonguda; however, one person died in the skirmish. The captured trophy (a camel bone) has become a symbol of past struggles and is now displayed prominently at important village meetings for good omen.

Another landmark was the official recognition given to the village committee by the forest department. The villagers elected a managing committee on 18 May 1993, headed by a female president, Gouribai, with 50 per cent representation to women. The forest department formally recognised the village's forest protection committee, or VSS, on 23 May 1993. Behroonguda became the first VSS in Andhra Pradesh to win official recognition.

Events moved swiftly thereafter. In October 1993, a participatory rural appraisal (PRA) was conducted with the villagers by the forest department. Two NGOs and an academic helped. The exercise included social mapping, matrix ranking of trees, forest transects and seasonality charts. The results were summarised in the microplan—a plan of action—prepared for the village.

Based on the ability of the villagers, the microplan initially assigned 250 hectares of degraded forest to Behroonguda for silvicultural treatment, beginning with 25 hectares in 1994 and ending with 250 hectares in 2004. In practice, the highly motivated villagers achieved the target by 1997, so the treatment area was enhanced to 500 hectares. By 1998, 325 hectares were treated and the balance by 2000.

1998 marked yet another important milestone for Behroonguda. The VSS became the first committee in the state to obtain the fruits of protection: Rs 3,59,500 in income came from the sale of teak poles from the forest. In all, 3,198 poles were thinned in 100 of the 250 hectares, representing a harvest of just 3.75 per cent of the resource in those 100 hectares. The off-take from the forest is not only sustainable but extremely conservative. For a good growth of teak in the natural forests of Behroonguda, silviculturists had recommended a 20 per cent removal in year 6, and 15 per cent of the balance in year 15. In Behroonguda, this amounted to removing 173 trees per hectare in the first thinning, but the VSS members decided to cut only 30. While less-than-optimum cutting reduced the commercial value of teak, it did no ecological damage to the forest.

For Behroongudans tending their neighbouring forest, money is not the main motive. 'Our aim is not to harvest trees for the sake of money', explained Pendram Ramu, the president of the VSS. 'Our goal is to improve the health of the forest. It is because of protection the forest has regenerated.' Equating the health of the forest with the wealth of the village provides a Gond perspective of life.

THE GONDS: GOD'S OWN PEOPLE

The Gonds are numerically the most dominant tribe of India: in 1981, they numbered 7.39 million throughout the country and 1.69 million in Andhra Pradesh (Anthropological Survey of India). By the end of the year 2000, the Gond population in Andhra Pradesh should have increased to 2.38 million. 'No aboriginal people of India has attained greater prominence on the political scene of past centuries than the large group of tribes commonly known by the generic term Gond' (Haimendorf 1979).

The character of a Gond village as a social unit was shaped at a time when land was plentiful in relation to the population. While there is no such thing as a 'typical' Gond village, or *nar*, a few common social characteristics still prevail: There is the secular headman (*patla*) and the village council (*panch*); the religious priest (*devari*), and the spiritual guardians of the village *Aki Pen* and *Siwa Marke*. Traditionally, Gonds were free to move about from one Gond village to another so long as they were accepted by the patla. This mobility has now been greatly limited by the scarcity of cultivable land. In Behroonguda, of the 97 families that are members of the VSS, 57 are Gonds and 40 are Naikpods. The Naikpods are considered by the government as belonging to the same family as Gonds, though the Naikpods regard themselves as socially superior to other tribes (ibid.).

The Gonds have a rich tradition of participation in village affairs—both religious and secular—which makes it easier to involve them in joint forest management. Residents have an obligation to attend the sittings of the village panch, help the headman to implement the decisions of the council, and contribute in kind appropriate quantities of foodstuffs required for offerings to the gods.

II

PROGRESS, 1994–98

In 1990, there was little around the village save for some scrub and brush that it might well have been called 'barren-guda'. When visitors now come to the hamlet to see the luxuriant re-growth of the forest and understand local initiatives, the residents are amazed by what they have achieved:

(1) Treatment: By the end of 1998, some 250 hectares of forestland has received silvicultural treatment under the watchful eye of the forest department. The barren-guda has become Behroonguda again.

(2) Protection: Night patrol by groups of up to five people has checked encroachment of the forest and the stealing of timber. Until November-end 1998, 51 forest cases had been booked, timber worth Rs 2,34,311 seized, and penalties totalling Rs 63,643 imposed against the offenders by the forest department at the behest of the local VSS. The incidence of such cases is now on the decline because of forest protection by the villagers.

(3) Soil conservation: By building bunds across streams and excavating percolation tanks, soil and moisture have been conserved. Villagers report an increase in the water level in their community well from 18 feet to 21 feet in one year, offering

prospects for growing vegetables for the first time in this drought-prone area. An effort is being made to quantify gains from the soil and moisture conservation works on a more systematic basis.

(4) Employment generation: Coppicing shoots and singling works in the forest have kept most villagers busy for much of the year. The wages offered by the forest department for these works (averaging Rs 40–50 a day) is better than the agricultural wage of Rs 25 for a female and Rs 30 for a male. Since the advent of joint forest management, Behroongudans have stopped migrating to nearby towns and villages in search of work. When half the population used to leave the village until five years ago, employment is now available at the doorstep.

(5) Alternative fuel: The use of improved fuel technologies has reduced the consumption of firewood as well as the pressure on the local forest. The distribution of subsidised smokeless 'chullas' (stoves) to half the households in the village has cut their firewood needs by 25 per cent. Eight families that received biogas generators operating on animal dung have stopped collecting firewood altogether. These steps have reduced Behroonguda's annual firewood consumption by 20 per cent from 110 tonnes a year to 88 tonnes. Moreover, several neighbouring villages located near the main road but farther from the forest, have had to switch to the use of liquefied petroleum gas, kerosene, or biogas as they no longer have open access to the Behroonguda-protected forest.

Thus, greater protection of the forest by the local people, better use of fuel-saving technologies, and increased generation of local employment have reduced the pressure on the forest, ended the outmigration of villagers to town in search of work, and substantially improved prospects for agriculture owing to an increase in the water tables. It is a good progress report for Behroonguda.

III

Ecological Analysis

In 1993, the forest department handed over a degraded forest area of 500 hectares to the VSS of Behroonguda for treatment and protection. The forest area is predominantly mixed teak. Teak comprises 59 per cent of the tree species. Additionally, at least 31 other tree species coexist. Of these, local residents have identified 10 species as being important to them for medicine, timber, religious and consumption needs (see Table 24.1). The forest department has planted many of these species to fill some of the large gaps in the degraded forest.

The Jannaram division of the forest department took up participatory research in the Behroonguda forest in 1998–99. Local residents and forest staff together placed research plots in the forest to monitor the impacts of silvicultural treatment and local harvesting on the growth of the forest. Ten plots of 0.1 hectare each were placed in the 325 hectares that received silvicultural treatment and six plots in the 175 hectares of untreated area.

Research data show the standing stock of trees to average 837 per hectare (see Table 24.2). There were more trees in the untreated area (1,064 per ha) than in the

TABLE 24.1: Local Preferences for Tree Species in Behroonguda

Local Names	Botanical Names	Local Uses
Neem	Azadirachta indica	Medical: mosquito repellant
Bamboo	Dendrocalamus strictus	Household articles
Velaga	Feronia elephantum	Edible fruit
Usiri	Emblica officinale	Medical: ayurvedic use
Chinta	Tamarindus indica	Edible fruit
Mahua	Madhuca latifolia	Edible flower, oil for skin diseases
Morri	Buchanania latifolia	Edible fruit
Maredu	Aegle marmelos	Edible fruit, medicines
Tapsi	Sterculia urens	Edible fruit
Kunkudu	Sapindus emarginatus	Soap

TABLE 24.2: Treated vs Untreated Areas: Tree Stock and Seedlings
(Total number per hectare)

Item	Trees			Regenerating Seedlings		
	Teak	Non-teak	Total	Teak	Non-teak	Total
Treated Area	515	200	715	773	1,151	1,924
Percentage	72	28	100	40	60	100
Untreated Area	500	564	1,064	131	1,160	1,291
Percentage	47	53	100	10	90	100
Average per hectare	510	327	837	548	1,154	1,702

Note: In all 9 plots of 0.1 hectare each were laid to cover five treatment years starting with 1994–95. Seven plots were laid in the untreated areas to analyse the differences in plant growth between treated and untreated areas. For regenerating seedlings, the figures were multiplied by four since data were gathered in only one of the four quadrants per plot, the north-west quadrant.

treated patch (715/ha); however, regenerating seedlings were higher in the treated area (1,924/ha) than in the untreated area (1,291/ha). Teak trees (61 per cent) were in a majority in the treated area and non-teak species (53 per cent) in the untreated area.

The silvicultural treatment—singling and pruning of the existing stock and planting of new saplings in large gaps—have had two positive impacts. First, the treatment resulted in higher coppiced growth of teak (compare 72 per cent in the treated area against 47 per cent in the untreated area). Second, it resulted in a 67 per cent increase in the regeneration of seedlings in the treated area over the untreated patch (1,924 vs 1,291). Both outcomes will add greatly to the total biomass and timber supply in the coming years and increase the financial value of the forest protected by the people of Behroonguda.

RE-EMERGENCE OF NTFP

Because of good protection provided by the VSS, many of the NTFPs have re-emerged, and the local people have started to enjoy the benefits. Some 20 tonnes

of non-timber products worth Rs 1,45,000 are harvested from the forest each year (see Table 24.3).

At least four categories of products are taken out of the forest:

(1) Timber for own consumption: The village microplan, prepared jointly by the residents and the forest team, has estimated the village's timber needs for repairing houses at 5 cubic metres per year. All of these needs are met from the poles culled during the silvicultural operations, so they impose no biotic pressure on the forest. The current forest stock can yield 13,734 cubic metres of timber, which can take care of the timber needs of several generations.

(2) Timber for sale: The commercial exploitation of timber is strictly controlled by the forest department. After five years of protection, Behroonguda for the first time cut and auctioned 3,198 teak poles from the 100 hectares treated in 1994 and 1995, the first two years of silvicultural treatment. The harvest constituted just 3.75 per cent of the resource in the 100 hectares. This off-take of forest products is not only sustainable, but extremely conservative.

(3) Firewood for own consumption: The annual demand for 110 tonnes of firewood (reduced to 88 tonnes because of the use of fuel-saving technologies) is easily met from the left-over of the tree stumps during the periodic singling and pruning operations. Therefore, meeting firewood demands of Behroonguda poses no threat to the ecology of the neighbouring forest. The 500 hectares of

TABLE 24.3: Gains from Non-Timber Products for the Behroonguda People, 1998

Product	Unit of Measure-ment	Quantity Per Person	Total People Involved	Rate (Rs)	Days	Total Benefit (Rs)	For Commercial Sale or Own Consumption
NTFPs							
> Gum	kg	0.50	15	50.0	20	7,500	Sale
> Mahua	kg	4.00	35	4.0	7	3,920	own consumption
> Ippa park	kg	2.00	35	10.0	20	14,000	own consumption
> Morri	kg	0.50	35	8.0	10	1,400	own consumption
> Velaga	each	5.00	35	2.0	10	3,500	own consumption
> Maredu	each	5.00	35	2.0	10	3,500	own consumption
> Tendu	bundle	na	25	na	na	16,153	Sale
Grass	kg/cattle	30.00	35	0.3	na	4,194	Sale
Firewood	kg	15.00	97	0.6	100	87,300	own consumption
Total			347			1,44,959	

na = data not readily available.

forest can presently yield 5,123 tonnes of firewood from the lops and tops of trees to cover the needs of the village for up to 60 years!

(4) Non-timber products for own consumption or sale: The regeneration of non-timber products in the forest as a result of villagers' involvement in protecting their resource has been a big bonus for Behroonguda. The gums, fruits and nuts are extracted from trees in reasonable amounts and, therefore, pose no danger to the forest. Most of these products are consumed at home.

There is, thus, no danger to the forest from over-harvesting the resource. At 3.75 per cent extraction rate, the forests are under-exploited. The mainly tribal population of Behroonguda is content with its conservative harvesting practices, and have rebuffed suggestions from silviculturists that the extraction rate be increased—from 30 trees to around 170 trees per hectare in the first thinning—without endangering the ecology or sustainability of the forest.

IV

Social Analysis

The five hamlets that constitute the village of Behroonguda have 206 households. However, only 97 families—57 Gond and 40 Naikpods—are members of the Behroonguda VSS. The Gonds and Naikpods, closely related by blood and cultural practices, were the first to come forward to form the VSS. In subsequent years, the other social groups formed their own VSS. The composition of the five hamlets is shown in Table 24.4.

As elsewhere in India, the population of the Behroonguda hamlets is mainly young, with 48 per cent below 18 years of age; but unlike the rest of the country, females here outnumber males. Only 112 of the 384 people are literate, roughly 29 per cent; this compares poorly with the national average of 52 per cent, state average of 44 per cent, and the Adilabad district average of 33 per cent. VSS president

TABLE 24.4: Social Composition of the Behroonguda Hamlets

Hamlets	Schedule Tribe	Schedule Caste	Backward Caste	Other Castes	Total
Behroonguda	36 Gond	–	–	–	36
Tanimadgu	8 Gond 23 Lambada	8 Harijan	2 Karpenter 2 Mangali 1 Sakali 1 Salay	8 Reddi 7 Kamma	67
Bawarguda	18 Gond	–	–	–	18
Kundela pahad	30 Naikpod	–	–	–	30
Karnapet	9 Naikpod 44 Lambada	2 Harijan	–	–	55

TABLE 24.5: Annual Family Income in Behroonguda, 1998
(In rupees)

Hamlet	Total Families	Agriculture Income	NTFP Income	VSS Wage Labour	Other Income	Total Average Income
Karnapet	11	None	1627	2463	554	4,645
Kundelpahad	24	8625	1054	1731	463	11,873
Bavarguda	29	3140	4453	1759	259	9,611
Behroonguda	25	5800	752	4330	372	11,254
Tanimadugu	8	7825	1135	1519	463	10,942
Average	–	5078	1804	2360	422	9,665

Note: The income figures are based on self-assessment by local residents. The government's economic criterion for a family below poverty line is Rs 11,000 per year. By this definition, two of the five hamlets fall below the poverty line.

Ramu is hopeful that his people will show as much interest in literacy as they do in forest protection. One positive indicator has been that several illiterate members of the VSS managing committee have taken up the challenge of learning to sign their names. Their success may have a demonstration effect on others.

Income: The average family income in Behroonguda is Rs 9,665, of which 53 per cent is derived from agriculture. Income from non-timber forest products is Rs 1,804 and wages disbursed by VSS for work in the forest is Rs 2,360; both account for 43 per cent of the total income (see Table 24.5). Most of the adults that are members of the Behroonguda VSS are available for forest work: 264 in all, or about one person per household. More than half of these are women. Thus, each household has a personal stake in maintaining the health of the forest.

Gender and equity: Conventional wisdom that women have a greater stake in protecting forests than men is borne out in Behroonguda. The local demography favours women, at least half the members of the managing committee of the VSS are women (though rules framed by the state government require at least one-third), and a majority of people working as wage labourers is female. Until she laid down office in June 1998, Behroonguda had a female VSS president for five years. But have these conditions favourable to women given them an effective voice in managing the affairs of the VSS and the village? Are women listened to by the male folk and by the forest department?

Women in Behroonguda replied 'yes' to these questions posed in a random survey. The survey found village women to be aware of the purpose behind setting up the VSS, could provide the name of the VSS president and at least half the VSS managing committee members, and indicate roughly the money spent by the VSS on forest development works. The women noted that both men and women were getting equal benefits from forest protection efforts, even though it was the women who protected the forest more.

The women interviewed in the survey said they had attended most of the VSS meetings, took part in the deliberations, and were satisfied that their views were

listened to by the men folk. The fact that half the VSS managing committee members were women helped. The financial benefits to their families from the forest were estimated at about Rs 1,000 per year. The reference to benefits here is mainly daily wages for singling, bunding, and thinning work done in the forests. The usufruct benefits are extra.

V

FINANCIAL ANALYSIS

The protection and management of the forest is meant to be a joint responsibility of the local villagers and the forest department. Andhra Pradesh is one of the 17 states in India to have adopted joint forest management. As part of the arrangement, the forest department has invested roughly Rs 2,00,000 per village per year over a period of six years from funds borrowed mainly from the World Bank. In theory, the approximately Rs 1.2 million per village was meant to be a one-time financial investment by the state. The returns from this investment are supposed to be recycled for community benefits and for the upkeep of the forest. But are the returns adequate to sustain people's interest in forest protection?

The financial value of the current forest stock in the 500 hectares protected and managed by the Behroonguda residents exceeded Rs 67 million in 1998 (see Table 24.6); this works out to about Rs 1,34,257 per hectare, or Rs 6,92,048 per family. By the year 2034, when the current stock of teak—the predominant tree species—matures to gain full commercial value, the financial value is expected to exceed Rs 1,000 million in 1998 prices. Thus, the people of Behroonguda who outlined the vision—*The forest should become our backyard/The fruits of the forest should be ours*—and worked hard to achieve it are living next to a vast, financially valuable natural resource. There is more than enough for the current generation as well as for the next two generations, if local residents continue to protect the resource and the government honours its commitment to share 'the fruits of the forest' with the local residents. In 1998, Behroonguda's harvest of timber and firewood worth Rs 3,59,500 amounted to a mere 0.5 per cent of the financial value of the forest worth over Rs 67 million.

In 1998, the total cost of protecting and managing the Behroonguda forest worked out to Rs 2,48,290, or Rs 497 per hectare (see Table 24.7). In contrast, the

TABLE 24.6: Financial Value of Behroonguda Forests, 1998

Product	Area	Sample Plot	Value (Rs)	Value (per ha)	VSS Area (ha)	Value for VSS Area (Rs Million)
Timber	Treated	1.0	1,21,927	1,21,927	325	39.53
Timber	Untreated	0.6	85,747	1,42,911	175	25.00
Firewood	All areas	1.0	4,986	4,986	500	2.49
Total		1.0	–	1,34,257	500	67.02

total benefit received by the local community worked out to Rs 6,36,432 per hectare, or a benefit-cost ratio of 2.5 to 1 (see Table 24.8). It is interesting to note that the local community contributed 31 per cent of the cost of protection mainly through voluntary patrolling of its members. Forest patrols are mandatory for everyone in the village; failure to comply results in a penalty of Rs 100. A person who does not show up for patrolling duty three times is removed from VSS membership.

Protecting degraded forest versus establishing a new plantation: The annual cost of protecting and managing the forest of Behroonguda was Rs 497 per hectare in 1998 (see Table 24.7). In contrast, local forest officers have estimated the cost of establishing a teak plantation in the vicinity of Behroonguda at Rs 4,256 per hectare in year 1, and

TABLE 24.7: Costs of Protecting and Managing the Behroonguda Forest, 1998
(In rupees)

Item	Cost
Village patrolling	67,525
Forest department salaries, overheads	38,352
Silvicultural treatment, soil conservation and other works	1,31,973
Miscellaneous	10,440
Total cost	2,48,290
Cost per hectare	497

Note: (1) The village patrolling party comprises, on average, four men and one woman. VSS wages are used in the calculation.
(2) 30 per cent of the establishment cost and allowances of forest staff was divided among 70 VSS in Jannaram forest division.
(3) Based on the expenditure incurred by the forest department in Behroonguda.
(4) Covers the time spent on VSS activities by the president and 12 managing committee members.

TABLE 24.8: Benefits of Protecting the Behroonguda Forest, 1998
(In rupees)

Item	Benefits	
1.	Wages from forest works	1,31,973
2.	NTFPs from the forest	1,44,959
3.	Sale of poles from thinning	3,59,500
	Total benefit	6,36,432
	Benefit per hectare	1,273

an annual maintenance cost of Rs 2,554 thereafter. The teak establishment cost is on the low side. A more realistic estimate is Rs 27,000 (Haque et al. 1998). It is, thus, clear that protecting an existing root stock, no matter how degraded, is far more cost-effective than establishing a new root stock through a plantation. Maintaining a teak plantation is five times more expensive than protecting a degraded forest that regenerates naturally, such as the one of Behroonguda.

Employment: In Behroonguda, the forest department spent Rs 7,93,804 between 1994 and 1998, or an average of Rs 1,58,761 per year. About 11 per cent of the funds were spent on soil and moisture conservation, 59 per cent on silvicultural operations, and 30 per cent in support activities (see Table 24.9). In all, 14,180 days of employment was generated from the various forest works (see Table 24.10). In 1998 alone, 3,656 days of employment was generated, equivalent to over two months of full-time employment to the 68 persons who were interested in, and available for, forest work. The need for employment is most acute during the summer months of March to May-end. The wages provided by the department for forest works averaged Rs 40 in 1994 and Rs 50 in 1998. These wages constituted 24 per cent of total family income. In contrast, the agricultural wages for work in the nearby fields are Rs 25 for women and Rs 30 for men. The forest operations thus had a positive income effect, enabled needy people to find employment locally, and ended seasonal out-migration from the village.

WITH AND WITHOUT VSS

Chintapally is a village three kms south of Behroonguda. For years, the 1,800 residents of the village had no interest in forming a VSS; they went to their neighbouring

TABLE 24.9: Expenditure on Various Forest Activities in Behroonguda, 1994–98
(In rupees)

Activities	1994	1995	1996	1997	1998	Total
Soil and moisture conservation	–	19,956	21,900	17,056	26,728	85,640
Silvicultural operations	46,785	52,497	1,48,645	66,392	1,55,245	4,69,564
Support activities	35,000	45,000	20,000	88,600	50,000	2,38,600
Total	81,785	1,17,453	1,90,545	1,72,048	1,81,973	7,93,804

TABLE 24.10: Employment Generated by Forest Activities in Behroonguda, 1994–98
(Days of employment)

Activities	1994	1995	1996	1997	1998	Total
Soil and moisture conservation	–	499	547	426	364	1,836
Silvicultural operations	1,170	1,312	3,716	1,660	3,105	10,963
Support activities	87	–	–	1,107	187	1,381
Total	1,257	1,811	4,263	3,193	3,656	14,180

TABLE 24.11: With and Without VSS: Behroonguda vs Chintapally
(Rupees per hectare)

Item	"With VSS" Behroonguda	"Without VSS" Chintapally
Timber	1,42,911	41,153
Firewood	4,986	4,460
Total value	1,47,897	45,613

Note: Six plots of 0.1 hectare each were laid on a random basis in the 201 hectares of forest assigned to Chintapally residents. The data were then converted to a per-hectare basis. Only the untreated area of Behroonguda has been used for comparison. The value of the treated area of Behroonguda is Rs 126,913 per hectare, inclusive of firewood.

forests to collect firewood and timber. In the last few years, they noticed that while the Behroonguda forests were improving, the forest area the Chintapally residents had access to was depleting. On 24 October 1998, most of the SC families of the village got together to form a VSS and petitioned the forest department for recognition. They were allocated 201 hectares of a forest block for protection.

Soon after, the villagers got organised. Konda Venkaiah was made president of the VSS and a 15-member managing committee was formed comprising ten men and five women. Every day, 11 adults go to patrol the forest. The teams are rotated every 10 days. The forest guard has taken the villagers to show them the boundary of the forest assigned to them for protection. President Venkaiah proudly mentions the seizure of two cart-load of wood worth Rs 4,500. The timber smugglers were from his own village, though of a different caste!

All the 104 SC families, about half the village, are members of the VSS. Almost half the population can read and write. Save one, all the managing committee members are literate. The highly motivated committee members have already invited Behroonguda president Ramu to address them, teach them how to conduct meetings and maintain accounts. They hold regular discussion with forest officials.

In this case study, we have treated Chintapally as being 'without VSS' since the VSS was formed after our research work commenced. In November 1998, sample plots were laid in the forest used by Chintapally residents; this was once an open-access forest, but is now protected. Analysis shows that the financial value of the Chintapally forest is about one-third the value of Behroonguda forest: Rs 45,613 versus Rs 1,47,897 (see Table 24.11). The two forest areas belong to the same forest block and have similar tree species. The important conclusion that can be drawn from this comparison is that protection of a forest by the local community—especially a mixed teak forest—by itself increases the financial value of the forest. Social fencing is, thus, a very effective tool to improve the growth of the forest, protect the resource, and involve people in natural resource management.

VI

INSTITUTIONAL ANALYSIS

In the past, the forest department had been the key agency responsible for managing the country's forests; in the future, it will be the VSS. By March 1998, Andhra Pradesh had 3,655 officially recognised VSS with responsibility for protecting 8,98,970 hectares, or 14 per cent of the total forest area. About 1,70,000 hectares of degraded forest had been treated at a cost of Rs 54 crore (Mukherji 1998).

INNOVATIVE INSTRUMENTS

Three innovative institutional instruments have been used in Behroonguda, as elsewhere in Andhra Pradesh.

(1) Microplan: Using traditional skills in 'rangoli' (floral design with colour powder), villagers drew on the ground a map of their village and the available resources at their command. Colour powder, and even twigs and leaves, were used to draw rice fields, schools and houses. Problems of village life were discussed and solutions identified. Almost everyone in the village took part. In Behroonguda, the preparation of the microplan took five days since it was the first microplan prepared for the first VSS in Andhra Pradesh. The process involved the village people, forest staff and NGO representatives.

(2) Pass Book: Once the microplan was approved by divisional forest staff, the money to be spent by the government on various works was transferred into a separate bank account opened for the purpose. The VSS president and the forester operate the account jointly. Periodically, the forest department transfers money into the account to carry out work agreed in the microplan. All the financial transactions—deposits by the government and withdrawals by the villagers—are recorded in the pass book to ensure full transparency and kept in the village.

(3) Village Register: All the works to be undertaken, and the money to be spent, have to be authorised by the VSS. The authorisation is in the form of a resolution recorded in the register and signed by all members of the managing committee. Records of recipients of the money in the village have been meticulously maintained. The VSS managing committee is supposed to meet at least once a month to decide on work to be undertaken and funds to be spent.

In addition, a memorandum of understanding (MoU) between the forest department and the VSS members is also found in the village files. The MoU mentions the date of the recognition of the VSS, the forest area to be protected and managed, and the map of the forest area. VSS members are also provided with photo identity cards, which many consider as giving them authority to stop and apprehend timber thieves and other encroachers of the forest.

The logic of these institutional instruments is as follows: The microplan is intended to involve the people in development works, the pass book is meant to

ensure financial transparency, the managing committee of the VSS is supposed to provide checks and balance, and the gram sabha (village assembly) is meant to ensure both participation and accountability. These checks and balances illustrate true democracy at work at the most basic level, the village.

Behroonguda's success in joint forest management comes from several factors: The first is the existence of a culture of forest protection among the Gonds. Their slogan 'before you protect the village, protect the forest' aptly sums up the close relationship the Gonds have with their surroundings. The second factor is the inspiring leadership of Ramu, the present president of the forest protection committee. He has been able to not only galvanise his people into protecting the forest from local timber smugglers, but also serve as a motivator for neighbouring villages interested in forming forest protection committees. The third factor is the strict application of the three institutional innovations—the microplan, pass book, and village register—which has enabled the local people to participate in development works and enjoy the fruits of their labour. The fourth is the enabling environment provided by the government through various rules relating to sharing of usufruct benefits and the technical support provided by the forest department. The fifth factor is the provision for employment in forest works during the lean season and a wage that is above the agricultural rate, both of which have ended seasonal migration to nearby towns and cities.

But what about other VSSs in Andhra Pradesh? It is too early to pass a judgement on the success, or failure, of JFM in the state, as few of them have reached a point of generating a financial surplus to sustain their livelihoods as has Behroonguda. Early indications are that not all the villages that have formed VSS are following the good practices of Behroonguda. In several instances, allegations of misappropriation of funds, of poor record maintenance, and conflicts in village committees have come to light.

Despite opposition within, the forest department increased the coverage of VSS from 3,655 in March 1998 to 6,800 VSS by March 1999—an expansion of 186 per cent in one year—to make Andhra Pradesh a leader in joint forest management in India. By 15 December 1999, 6,271 VSS had been formed to protect 1.45 million hectares, or 22.7 per cent of the total forest area in the state, according to government statistics. In all, some 8,200 forest-fringe villages exist in AP.

VII

Lessons from Behroonguda

The people of Behroonguda have much in common with other rural community groups in Nepal, the Philippines, Thailand and other countries. Many of these communities are protecting forest patches ranging from 1 to 4,000 hectares for a variety of religious, ecological, and economic purposes (Poffenberger and McGean 1993). India has over 30,000 forest protection committees, Nepal has over 5,000 forest-user groups, while the Royal Forest Department has recognised over 12,000 rural community groups in Thailand. And their numbers are growing as the community management approach is gaining acceptance over bureaucratic control

over local natural resources. There are many lessons that the rest of the world could learn from the people of Behroonguda.

First, the assumption made—particularly in India—that villages and rural areas are poor in natural and human resource is false. Many villagers are living next to a vast, underdeveloped forest resource. Behroonguda has a natural asset base valued at Rs 67 million in 1998, but which could well exceed Rs 1,000 million (at 1998 prices) in four decades, if the present generation conserves the resource for future generations.

Second, joint forest management (in India), user group management (Nepal), co-management (Thailand) are useful approaches that enable local people to participate in planning, take part of the responsibility for management, and share the fruits of their labour. In Behroonguda, the use of participatory techniques (e.g., in preparing resource maps, matrix ranking of trees, and so forth) drew villagers into preparing a village microplan that served as a basis for forest development. Local NGOs facilitated this planning exercise. The forest staff has mastered the use of the participatory techniques, though they are not always used well.

Third, the economic value of a plentiful resource is often only realised when it becomes scarce and the people dependent on it begin to feel the pinch. This happened to the people of Behroonguda in 1990 when they realised there was little timber and fire-wood left in the hills around their village. When they were convinced their livelihood was threatened, they decided to protect the forest at any cost. Desperate people often take radical steps. Behroongudans waged a successful war against organised gangs of timber thieves to reclaim their forest.

Fourth, as the comparison between Chintapally and Behroonguda illustrates, forest protection by the local community increases the financial value of the forest. People's protection of the forest followed by natural regeneration of coppiced teak is more cost-effective than a human-engineered teak plantation. Social fencing is a good tool to improve the growth of the forest, protect the resource, and involve people in natural resource management, but the value of this tool has not been recognised in the past by forest officers who have put more faith in patrolling the forest areas with vehicles and in police uniform.

Fifth, local leadership and organisation is key to the success of local initiatives. Behroonguda has had good leaders in Gouribai, a shy, soft-spoken female president for five years, and Ramu, a confident, charismatic present-day president. Both have been able to motivate other villagers into collective action to protect the forest and at the same time hold the trust of the forest department.

Sixth, incentives must be established to enable local people to participate in forest management; otherwise, why should these people take part? The people of Behroonguda feel the forests belong to them. The people know that fuelwood, fodder grasses, and non-timber products are available to them free of cost. Income from intermediate thinnings of trees and the final harvest are to be shared equally with the forest department.

Seventh, the case study highlights the importance of a policy framework to bring the government closer to the people and the people closer to their natural

environment. In India, after a century of alienation, the central government enacted a National Forest Policy in 1988, which recognised the customary rights of people living close to the forest and accepted them as partners in forest management. Andhra Pradesh went a step further by adopting rules that made it easier for local people to participate in forest management, provided attractive incentives for them to do so, and established transparency in financial transactions. The success of Behroonguda is, in part, due to a change in the attitude of the forest department away from bureaucratic control and in favour of peoples' participation.

However, there is still some ambiguity in Andhra Pradesh on the final harvest: whether it will or will not take place is unclear. Instead of pushing this problem for resolution in the future, the government should specify that trees from the VSS-managed forest can be cut for timber under the supervision of the forest department. Similarly, there is a need to end the ambiguity over 'incremental benefits'. At present, villagers cannot lay claim on the 'old growth'—i.e., the existing stock of trees. Only the 'new growth' emerging as a result of village protection can be claimed. Instead of splitting hair on what is old and new growth, it would be far better that benefits from *all* growth be given to the VSS members with a certain percentage—say 10 to 50 per cent depending on the circumstances—going to the government as its share of the revenue.

On the downside, Behroonguda residents have not been clearly told when the forest department's financial and technical support would end. For joint forest management (JFM) to be sustainable, it is important that forest staff be re-deployed from Behroonguda to other needy communities and the financial support to silvicultural and other conservation activities be discontinued. Only then will the Behroonguda experiment be deemed fully successful and sustainable.

Beyond 2000

At this point in time, it is difficult to predict the sustainability of JFM in Andhra Pradesh beyond the year 2000. Funds from the World Bank, which sustained JFM, have ceased to flow as the project has ended. There is uncertainty over future funding. Behroonguda, however, can manage without external funds. However, the VSS has still to come to terms with the second-generation problems that come with the success of any new programme. Is the village ready to make the transition from a resource-scarce, poor and dependent ward of the forest department to a resource-rich and less dependent community? Is it ready to join the global village? The answers will be known in a year when the full effects of the funds ceasing to flow from the forest department begin to be felt in Behroonguda.

References

Andhra Pradesh Forest Department. 1993. 'Micro Plan for Behroonguda: Vana Samarakshana Samithi under Joint Forest Management'. Jannaram Forest Division.

Haque, M. S., S. Kannapiran, and A. M. Paul. 1998. 'Financial Viability and Bankability of JFM Projects in India'. *Indian Forester* 124: 486–94.

Mahapatra, Richard. 1998. 'Sukhomajri at the Crossroads'. *Down to Earth*. 15 December.

Mukherji, S. D. 1998. 'Update on Joint Forest Management Programme in Andhra Pradesh'. *Indian Forester* 124: 413–24.

Patel-Weynand, Toral. 1997. 'Sukhomajri and Nada: Managing Common Property Resources in Two Villages'. In *Natural Resource Economics: Theory and Application in India*, eds John M. Kerr, Dinesh K. Marothia, Katar Singh, C. Ramasamy and William R. Bentley. New Delhi: Oxford and IBH Publishing Co.

Poffenberger, Mark, and Betsy McGean, eds. 1993. 'Community Allies: Forest Co-Management in Thailand'. *Research Network Report 2*. Berkeley: Centre for South-East Asia Studies, University of California.

Singh, Katar. 1994. 'Joint Forest Management: The Arabari Experiment'. In *Managing Common Pool Resources: Principles and Case Studies*. New Delhi: Oxford University Press.

Von Fuerer-Haimendorf, Christoph with Elizabeth von Fuerer-Haimendorf. 1979. *The Gonds of Andhra Pradesh: Tradition and Change in an Indian Tribe*. London: George Allen and Unwin.

25

Fate of the Forest

*Conservation and Tribal Rights**

Amita Baviskar

I

Introduction

Sondwa (District Jhabua) 28 May 1994:

More than a thousand Bhil and Bhilala adivasis crowded the block headquarters in this small town to submit claims for the regularisation of their encroachments on forest land, locally known as 'nevad'. Thirty-first May is the last date for submitting claims. The turnout, several times larger than that for any election, took the administration completely by surprise. The sub-tehsil office ran out of receipt books and had to extend its working to the next day, a Sunday.

The prospect of regularisation has driven the adivasis in droves to the tehsil headquarters at Alirajpur where almost everyone capable of filling up a form is being besieged with requests to oblige. The owner of the local photocopying shop has made a killing with his package deal of photocopying the forms (which are in short supply), and filling them up for his customers. For the almost wholly illiterate adivasis, such a service is worth even a hundred rupees. The biggest bucks, however, have been made by the village patvaris who keep revenue records and the forest nakedars. Their privileged access to government records has made them highly sought after as fillers-up of 'nevad' forms. The fast-approaching deadline for submitting forms has brought money pouring into their hands. One patvari demanded a sum of Rs 8,000 from the people of one village for merely forwarding their claims to the tehsil office; and, but for the intervention of a local adivasi trade union which opposed such extortionist demands, the patvari would have got it too. The adivasis do not know

---

* *Economic and Political Weekly* 29 (38), 17 September 1994.

Suggestions from Amit Bhatnagar, Walter Fernandes, Ramachandra Guha and Rahul N. Ram greatly improved this essay. The author is responsible for the shortcomings that remain.

that they are entitled to free forms. There is supposed to be no fee at any stage of the process of submission of claims.

The adivasis who came to Sondwa have *de facto* control over the land that they cultivate. For decades they have laboured and tended their 'nevad' fields; they have worshipped this land and raised their children on its bounty. But such is the power of the state over people's minds that they crave the legitimacy accorded by the government. One scrap of paper, in the usually illegible scrawl of the tehsildar, seems to be more real and true than the land and the soil itself. The state's sanction seems more authentic than adivasis' bonds with their earth. This irony is not incidental; it is the cumulative product of years of state intervention in the adivasi relationship with the forest.

The rush to submit claims is a consequence of a Madhya Pradesh government move to implement a central government directive to regularise 'nevad' (encroachmentson forest land) which promises to give adivasis title to land that they have cultivated for decades. However, very few adivasis may actually meet the stringent conditions laid down in the ministry of environment and forests order. In order to qualify, adivasis must prove that their 'nevad' encroachment happened before October 1980, that the 'nevad' field does not have a gradient exceeding 30°, and that their legal landholdings do not exceed 2 hectares (ha). The fortunate few who satisfactorily meet these conditions will be entitled to patta (title) for 'nevad' such that their total landholdings reach the 2 ha ceiling. Very few of the adivasis who flocked to Sondwa or Alirajpur will ultimately get the patta that they desire so desperately.

The mass submission of claims also highlighted the utterly shocking state of land records in Alirajpur. The peasant's basic document of proof of landownership is a small booklet that lists the names of the owners, and the size and location of their plots of land. Many adivasis who came to Sondwa carried booklets that had belonged to their grandfathers, that had since acquired the patina and dog-eared look of venerable old age. While their antiquity rendered them mildly interesting as historical objects, they were useless in performing their primary function, viz, recording present-day landownership. Numerous land transfers spread over two generations due to death, inheritance and partitioning, had happened without making their way onto the pages of the booklet. Since getting the booklet updated entails several trips to the tehsil office as well as bribes for the patvari, people usually give up after a while, and make do with obsolete records.

If records of legal holdings bear little relation to actual landownership, records of 'nevad' encroachments are much worse. The only official proofs of 'nevad' are the receipts that adivasis are supposed to get after paying fines for the offence of cultivating forest land. Most people, however, were never given receipts because the fines that they paid went directly into the pockets of the forest guards, nakedars and deputy rangers. When receipts were given in exceptional cases, very often they were small bits of paper that were easily lost or destroyed.

The absence or the poor quality of official records makes it very hard to precisely estimate the extent of 'nevad'. There are no detailed published statistics

on the subject, even though the partial data that does exist indicates that 'nevad' forms a significant part of total forest land. An authoritative source estimated that out of Madhya Pradesh's total 15.5 million ha of forest land, 1.6 million ha (more than 10 per cent) was 'lost to encroachment' between 1956 and 1989 (Buch 1991:12). In Jhabua district, prolonged agitation by the adivasis of Sondwa block, led by Khedut Mazdoor Chetna Sangath (KMCS), a local trade union, forced the forest department to conduct a survey of 'nevad' in the forests of Mathvad in 1988. The survey recorded that almost every cultivator in the area had supplemented his legal holdings with several small plots of 'nevad'. In one village alone, 14 cases of encroachment amounting to 192 ha of forest land were recorded. Most of these fields have been cultivated since 1970 and even earlier.

The prevalence of 'nevad', and its centrality in the lives of thousands of adivasis, is also reflected in the quantum of litigation regarding forest offences. At least one case of violation of forest restrictions has been registered against almost every cultivator in Sondwa block. While some of these cases pertain to illicit felling of wood or other minor offences, the bulk are related to encroachment.

'Nevad' is a forest crime. According to the forest department, the adivasi practice of clearing forests and converting them into farmland is one of the main reasons for the destruction of the forest. Why then has the government moved to regularise some of these encroachments? Some people allege that this is a populist ploy or 'misguided philanthropy' on the part of the government (ibid.: 61, 85), intended to please a tribal-dominated electorate. Such regularisation, it is predicted, will prove environmentally deadly in the long run for, once the floodgates are opened, there will be no stopping the deluge of 'nevad' claims. However, from the point of view of adivasis who have for decades been agitating for rights to the forest, regularisation is simply the forest department's surrender of territory that had never morally belonged to it. In this view, regularisation of 'nevad' is a belated first step towards a fuller recognition of adivasis' rights to the forest. Any genuine programme of forest conservation must begin by accepting adivasi rights of ownership and control as its basic premises. This latter argument, however compelling from the point of view of social justice, leaves unresolved the vexing issue of environmental damage. 'Nevad' does destroy forests. Where then does the solution lie?

II

Conservation and Draft Forest Act

The episode in Sondwa encapsulates the complexity of the 'nevad' issue. In the official view of the forest department, 'nevad' is part of a package of practices by which adivasis, especially Bhils and Bhilalas, destroy the forest. The degradation of the forest is attributed to 'biotic interference', a term used to describe the assaults made on the forest by local communities seeking fuel, fodder, other forest produce and, in the case of 'nevad', cultivable forest land. The livestock population of Madhya Pradesh increased from 30.6 million in 195.1 to 42.5 million in 1981. The pressure of ever larger herds of cattle and goats foraging in the forests has not only destroyed

existing vegetation, but has also prevented its regeneration. With the population of Madhya Pradesh swelling by 10 million over the 10-year period from 1971 to 1981, increased demand for fuelwood has led to such intensive lopping that trees have become stunted shrubs. And, finally, the conversion of forest land into cultivation through 'nevad' encroachments is the most unkindest cut of all. No wonder then that an authority on Madhya Pradesh's forests remarked that, 'the only symbiosis in the relationship of the Bhils with the forests seems to be that between a meat cleaver and the goat that it is about to decapitate' (ibid.: 84).

In order to save forests from further degradation, the ministry of environment and forests has proposed a draft bill called 'The Conservation of Forests and Natural Ecosystems Act', which seeks to meet its objectives by severely restricting local communities' rights to the forest. The act proposes strict state control for 'sound ecological management'. Sections 5 and 34 prohibit state governments from granting pattas or occupancy rights to unauthorised encroachers on forestland, without the permission of the Centre. Sections 3(2) and 27A vest the Centre with the power to direct any state government to constitute reserved forests in any specific area. According to Ramachandra Guha, the draft Act will sharply curtail people's rights by classifying most forests, especially the better quality ones, as Reserved Forests, to be owned and managed by the state. Sections 1.12 and 13(d) state that the exercise of rights in reserved forests, such as the collection of fuel, fodder, etc., can be continued 'subject to the carrying capacity of the land in question and prevention of its overuse'. If the land is 'already degraded', the Forest Settlement Officer can immediately stop the exercise of rights until he is satisfied that the land has been 'restored to its potential productive capacity'. Sections 16 and 22A provide that all rights can be commuted, i.e. extinguished with a one-time payment, if the government considers this to be necessary for the prevention of 'degradation of the said reserved forest'. Likewise, Section 76A reserves to the central government the right to make any rules for 'rationalising rights, privileges and concessions in respect of forest produce from reserved and protected forests'. As Guha remarks, 'rationalising' is, of course, only a euphemism for 'extinguishing' (Guha 1994).

While closing off people's rights in Reserved Forests, the Act offers them a limited opening in the form of village forests which will be managed to meet the biomass needs of local communities. On closer examination, even this crumb of comfort turns out to be cold. Since the Act states that village forests cannot be constituted from Reserved Forests, and as Reserved Forests predominate in most states, very little area will actually be available for the formation of village forests. And, even in village forests, the state will retain its dominant role. Section 34 AA 1 (c) vests the power of determining villagers' rights with the state government. Section 34AA 1(j) empowers the state government to take over the management of a village forest if it decides that the local body is unable to protect the forest. Anyone who is deemed to benefit from a village forest, stands to lose rights to pasturage and forest produce in reserve forests (Section 15(3)iii). The Act also arms the state with extensive punitive powers against offenders. Section 64(1) empowers any forest officer, police officer or revenue officer to arrest and detain in custody, without orders from a magistrate

and without a warrant, anybody suspected of committing an offence, abetting an offender or obstructing the execution of an officer's duty. Thus, the Act, in its entirety, amounts to a systematic attempt to legislate people out of the forest.

There is widespread consensus that the problem that the draft Forest Act seeks to address is a genuine and pressing one. 22.4 per cent of India's land mass is designated as 'forest'. However, it is widely acknowledged that only 42 per cent of the area thus designated is actually under adequate tree or grass cover; the rest is more or less completely devoid of vegetation (Vohra 1980: 3). With satellite imaging, the government has been compelled to be more accurate in its estimates of deforestation. According to the National Remote Sensing Agency, forests covered 55.5 million ha (16.89 per cent of total land area) in 1972–75. During 1980–82, this area dropped to 46 million ha (14.1 per cent of total area). In the 1990s forests cover a scant 32.8 million ha or 10 per cent of total land area. Whereas four million hectares of forest area was 'lost' between 1951 and 1976, over the last 15 years, 22.7 million hectares of forest has been cut down (Gadgil and Guha 1992: 196; UNDP 1992: 173). The rapidity with which we are losing our forests certainly demands immediate attention and action.

But while there is no disputing the fact of the crisis or the need for urgent action, there is considerable controversy about the way in which the government proposes to deal with the problem. Is state-controlled conservation, as envisaged in the draft Act, possible? Will extinguishing the rights of local communities prevent the degradation of forests? What is the optimal—socially just and environmentally sustainable—solution to what is apparently a trade-off between conservation and villagers' demands? In order to approach these issues with any degree of insight, we must examine the relationships between the state, adivasis and the forest. An appreciation of these relationships is essential for designing a conservation-oriented forest management strategy that actually works on the basis of popular support. This essay attempts to conduct such an analysis for apart of Alirajpur tehsil in Jhabua district, Madhya Pradesh, mentioned earlier as the place where the 'nevad' rush occurred. This area is particularly appropriate as an illustration of the arguments contained in this article for it has witnessed a sustained struggle by adivasis for their rights to the forest. This area is also the site of a small experiment in community forest management which offers an alternative model for forest conservation. The Alirajpur experience is relevant and significant not only for tribal areas in Madhya Pradesh, but elsewhere in India as well.

In this essay, I shall begin by describing the economy of the Bhil and Bhilala adivasis of Alirajpur, focusing particularly on their dependence on the forest. Then I shall delineate the periodic crises that have erupted whenever the state has attempted to close off access to the forest. Following this, we shall examine the state's analysis of the 'nevad' problem and official responses to these conflicts. The subsequent section will look at the state's own experience of forest management in Alirajpur, both historically and through present practices, especially in terms of their impact on adivasis. I will argue that the forest department's record with respect to environmental conservation contradicts its claims for pre-emptive rights

to the forest at the expense of adivasis. In the concluding section, I shall examine some attempts made by a trade union in Alirajpur to initiate an alternate model of conservation based on local management of forest resources. This suggests that the goal of environmental conservation on forest lands can only be achieved by vesting ownership and control with local communities.

III

ALIRAJPUR: DEVELOPMENT PROFILE

Alirajpur tehsil in Jhabua district lies at approximately 22°N latitude and 74°E longitude in the south-west corner of Madhya Pradesh in western India. Here the river Narmada flows into a rocky valley flanked by two hill ranges—the Vindhyas on its north bank and the Satpuras on the south, becoming the border between two states, Madhya Pradesh on the north bank and Maharashtra on the south. Being the western-most tip of the Vindhyas, Alirajpur is mountainous; the hills are covered by dry deciduous mixed teak forests, which have been partly cleared for cultivation. The rocky terrain, broken by gorges and streams, has thin soils. The slopes are watered only by the monsoons and rain tends to vary wildly from year to year. While rainfall averages around 60 cm, in the last seven years it has fluctuated between 41 cm and 96 cm. Consequently, drought is a frequent visitor to this land. Alirajpur tehsil has an area of 2,237 square kilometres. The region is sparsely settled compared to the national average, with a density of only 87 people per square km.

Forty-five years after independence, Alirajpur presents a dismal picture in terms of various human development indicators: a scant 4.6 per cent of the population is literate; only 2 per cent of the women can read and write. Of the tehsil's total population of 1,96,000, only 14 per cent has access to government medical services. A mere 55 (16 per cent) of the 339 villages in the tehsil are electrified. Most villages have no source of safe drinking water. A part of the Bhil belt which stretches from western Rajasthan through Gujarat and Madhya Pradesh to Maharashtra, the population of Alirajpur is overwhelmingly tribal; almost 89 per cent of the people belong to the Bhil and Bhilala tribes. Another 6.7 per cent belong to various SCs. The small non-adivasi population includes Bohra Muslims and Banias, who tend to be traders and moneylenders, and Rajputs. Just as commerce is dominated by non-adivasis, so is the state administration; generally, adivasis are employed only in a few petty posts. There is a sharp social divide between adivasis and non-adivasis (locally called 'bazaarias' or people of the town, by the adivasis), with the latter regarding the former as savage, backward and contemptible.

Jhabua district is counted among the poorest districts of India, and most of the population of Alirajpur falls well below the poverty line. Almost all the people of Alirajpur make their living from the land. Eighty-three per cent of adult workers cultivate their own land, and another 8 per cent work as agricultural labourers. People mainly grow maize, jowar (sorghum) and bajra (pearl millet) and several kinds of pulses. While the cereals are intended for self-consumption, some part of the pulses may be sold. Oilseeds such as groundnut and sesame are primarily grown

for sale. Small quantities of coarse cereals such as 'badi' (*Setaria Italica Beauv* or fox-tail millet) and 'batti' (*Echinicloa colona*), fibre crops like sunn hemp and 'bhend' (*Urenatobata*), and several kinds of fruits and vegetables are also grown for own use. Although people grow as many as 20 different crops, agricultural productivity is low due to skeletal soils and unpredictable rains. Only 8 per cent of the total cultivated area of Jhabua district is irrigated. Out of the district's total of 97,674 agricultural holdings, 91,507 holdings (93.6 per cent) are classified by the government as uneconomic.

Since their legal landholdings are marginal, people rely as much on livestock and the forest to sustain themselves. Access to the forest enables adivasis to own large herds of livestock that would be impossible to maintain otherwise. Besides keeping draught animals to work the land, most households have at least one cow and several goats. The better-off adivasis keep buffaloes and large herds of goats. Goats are the preferred form of livestock in Alirajpur, just as they are preferred by poor people everywhere for their ability to thrive on low-quality fodder and for the comparatively small investment that their purchase entails (Jodha 1994: 165). While there is little significant differentiation in the size of legal landholdings among adivasis, the size of livestock herds tends to vary quite a bit. Thus relative wealth is dependent on the number of cattle, goats and hens that a family owns. Villages where nearby forests provide plentiful fodder take in livestock from less well endowed villages for part of the year, in exchange for some cash or agricultural produce and the right to the manure.

Dependence on Forest

As important as legal land and livestock is the forest. Although the forests of Alirajpur have been written off by the experts as highly degraded, and indeed, crown density is 40 per cent or less, they still manage to sustain the tribal economy in a surprising variety of ways. In one village alone, people easily identified 150 different tree species and described their different uses. Through the seasons of the year, the cycle of collecting various forest produce marches along with the cycle of agriculture (Baviskar 1994). Adivasi homes, constructed entirely of teak, bamboo and 'anjan', with floors of packed mud and cowdung, are in a way simply the forest transformed.

The forest is the source of much more than house-building material; fodder, fuel, fibre, fruit, medicines and edible gums figure among items too numerous to list here. To name only five of the most important species: bamboo is woven into baskets, some of them four feet high and equally wide to store grain; arrows and bows are made from bamboo as are fishing traps and brooms and axe handles; strips of bamboo line the roof so that baked clay tiles can rest on them. The flowers of the 'muhda',[1] the tree prized above all others, are eaten as well as dried and distilled for liquor; the fruit is pressed for oil. 'Anjan' (*Hardwickiabinata*) yields a fibre that is used to make rope; its wood is burnt as well as used for making cots; its leaves are eaten by goats. Then there is 'temru' (*Diospyrosmelanoxylon*); its leaves are rolled to hold tobacco and smoked as bidis, its fruit eaten, its wood used to make carts.

Finally, teak is used to make all agricultural implements—ploughs, hoes, rakes—drums and kitchen utensils; its wood is burnt; its large leaves are used to make packages for storing dried chillies or groundnuts.

The continuity between the forest, animal husbandry and cultivation is reiterated through rituals that seek to control and manage nature. Just as there are proscriptions against consuming certain crops during 'chaumasa' (the season of the rains), there are taboos about cutting green fodder and teak leaves from the forest during the same season. Only when the gods have been propitiated after the rains can these products be used. In the 'gayana', the Bhilala song of creation, teak and 'pahal' (also called 'khakra', *Butea monosperma*) are as crucial in the myth as is jowar (sorghum) (Baviskar 1994).

Access to the forest enables adivasis of Alirajpur to hold their own economically. What is classified in government terminology as 'minor forest produce' is an integral part of what they live on. Besides self-consumption needs, they trade forest produce along with some of their agriculture produce for merchandise such as cloth, jewellery, iron implements and salt. And in years when the rains fail, the forest is refuge; they cut wood for sale in the market. As one adivasi observed, 'during the drought, the forest is our moneylender'. Whereas people from other drought-stricken areas are forced to migrate in search of a livelihood, the adivasis of Alirajpur, who still have access to the forest, manage to stave off starvation and avoid migration by selling forest produce. During a particularly lean summer, when asked why he and his fellow-villagers had not migrated for 'mazdoori' (wage labour), one Bhilala man replied, 'we are doing *cheek ki mazdoori* right here'. That is, villagers survived by collecting and selling the aromatic resin exuded from the 'halai' tree (*Boswellia serrata*).

The most controversial use of the forest by adivasis is not wood cutting, grazing or collecting forest produce (even though all these practices are blamed for destroying the forest), it is 'nevad'. The word 'nevad' literally means 'new field', or places that have been cleared and made suitable for cultivation. However, now it is used only to refer to encroached fields. There are two kinds of 'nevad'—revenue and forest, depending on which department happens to own the land encroached upon. In Alirajpur, forest 'nevad' is by far the more contentious category. The statistics about 'nevad' speak for themselves: the claims submitted in Sondwa revealed that each household cultivated 'nevad' holdings that were three to 10 times larger than its legal holdings. Since the size of legal holdings is too small for subsistence, it becomes imperative to supplement them with 'nevad' cultivation. 'Nevad' fields tend to be tiny patches of cleared forest, usually discreetly tucked away in the high hills. The land is generally sloping, with thin soils that are easily washed away. But despite its drawbacks, this land keeps the adivasi economy of Alirajpur on its feet.

Conflict over Forest

Since 'nevad' is crucial for adivasi survival, any attempt made by the state to stop it evokes immediate and strong reactions'. Every time the forest department has tried to repossess 'nevad' fields, it has encountered widespread resistance. Adivasis

refuse to surrender their 'nevad' because doing so would directly threaten their livelihood. They have made frequent representations to the administration to settle their claims through negotiation, but there has been no positive response to their call for a dialogue. The forest department, on its part, has rarely tried to find an amicable solution to this conflict,[2] preferring to enforce its claim with the unilateral use of force. Most confrontations have been sparked off when forest department parties have suddenly descended on an area and started digging CPTs (Cattle Proof Trenches), attempting to cordon off an area that may include grazing lands as well as 'nevad' fields. Such an incident occurred in March 1991 in Kiti village when the police fired to disperse assembled villagers from Kiti, Keldi and Vakner, who had been peacefully resisting CPT work.[3] In another instance, forest guards came with a herd of cattle and set them to graze on standing crops in 'nevad' fields that belonged to Semlani village in August 1993. Very often, the forest department provokes a confrontation by setting its labourers to digging holes in the middle of 'nevad' fields, ostensibly for planting trees, as was done in Pujara ki Chauki village. Since this work can never have local co-operation, the forest department brings in labourers from distant villages under heavy police escort. In the instances when the forest department's attempts to reclaim 'nevad' have led to retaliation in the form of villagers throwing stones, the crisis has been precipitated precisely because of the state's use of force at the very outset.[4]

It must be noted that, while enclosure is justified on sound grounds from the viewpoint of conservation, viz, it allows the forest to regenerate through protection and tree plantation, in practice enclosures made by the forest department rarely achieve this laudable objective. Despite cordoning off the forest and related measures like confiscating livestock found grazing in the forest and fining trespassers, the survival rate of planted saplings in most areas is so abysmal that it is difficult to discern the difference between the degraded forest and the enclosed portion which has had the benefit of the forest department's administrations. We shall discuss the reasons for this failure later. Besides the violent mass confrontations that have occurred in villages like Kiti, Semlani, Pujara ki Chauki, Umrath, Khodamba, and so on, the conflict over the forest has also been a ceaseless war of attrition, by which the forest department has tried to terrorise adivasis into submission. As mentioned earlier, the legal weapons used include litigation and confiscation. The forest department has registered thousands of cases, many of them on trumped up charges, against adivasis for violating forest laws. This has trapped people in a wearying round of visits to the police lock-up and the court. The harassment and the expense entailed are considerable. People also risk getting their livestock confiscated and have to pay to get them back. If a pair of bullocks is confiscated at the time of ploughing during the crucial agricultural season, it can cripple an adivasi household's agricultural prospects for the entire year. If these forest offences are a measure, then almost every adivasi in Alirajpur is a criminal several times over.

More often than not, the means used by the forest department against adivasis are illegal. Villagers recount stories of the beatings that they suffered in the hands of forest guards. They remember times when the 'nakedar' or deputy ranger would

enter their village and order that several hen be slaughtered and a feast of chicken and 'pannia' (bread cooked between leaves) and 'muhda' liquor be served for the pleasure of the officers. Earlier, forest guards would simply demand and receive a bottle of ghee or a bag of groundnut; no one dared resist. When called upon, an adivasi had to put aside his work and escort the forest official to the next village, carrying his bag for him. And a constant accompaniment to all these demands were the monetary bribes that villagers had to pay to persuade the forest department to look the other way.

Since 1982, the forest department's ability to get away with such blatant abuse of power has been sharply curtailed. A trade union called Khedut Mazdoor Chetna Sangath (Organisation for the Consciousness of Peasants and Workers) has mobilised adivasis in about 95 villages to collectively fight for their rights to the forest. When the Sangath has sent representations asking the administration to negotiate a resolution for the 'nevad' issue, it has been rebuffed. Since then, the Sangath has had to adopt more aggressive tactics like mass demonstrations, hunger strikes, and the obstruction of forest-related work. These have succeeded in putting in an end to some of the excesses of the forest department, such as the petty violence and corruption. The Sangath's work is not defined by defending 'nevad'; its objective is the wider cause of empowering adivasis in their struggle to live with dignity, without being exploited and cheated, with control over the resources and processes that so vitally affect them. To this end, the Sangath has tried to work on several fronts—from organising a co-operative shop, teaching literacy in Bhili and Bhilali, to initiating a soil and water conservation programme, to generally strengthening adivasis' ability to stand up for their rights. For its troubles, the Sangath has been frequently called 'Naxalite', the most recent sub-divisional magistrate (SDM) in Alirajpur going so far as to propose the analytically interesting label of 'semi-Naxalite outfit masquerading as voluntary organisation' (Pathak 1994: 10). For the most part, the local administration has chosen to treat the mobilisation around the forest rights issue as a law and order problem, to be suppressed by means of state violence.

Tribal Development in Alirajpur

A few administrators, however, have perceived the links between the issue of forest rights and the condition of adivasis in general. Realising the immense hardship entailed if adivasis were forced to give up 'nevad', different administrators have initiated different schemes, all of them ultimately driven by the logic of getting adivasis out of the forest. Each SDM or district collector has his pet projects for tribal development. While each SDM usually manages to finish constructing the mandatory fountain in Alirajpur town during his tenure, the development programmes stay half-done, only to languish and die during the reign of the next SDM. Some projects are wacky in the extreme. One SDM proposed custard-apple cultivation on 'nevad' land as the panacea for adivasi poverty, much in the manner of Marie Antoinette telling the peasants to eat cake. When people barely manage to grow enough grain to see them through the year, to expect them to switch to

a highly perishable luxury crop, in a place where infrastructure for transport and marketing is practically non-existent, is a ludicrous idea.

The lure of lucrative markets beckoning enticingly from a distance works a powerful magic on administrators, most of whose schemes focus on getting adivasis further integrated into the market. Instead of strengthening their natural resource base or improving their access to basic services such as health, education or drinking water, government schemes tend to prefer giving a one-time subsidised commercial asset—a milch cow (the Madhuban scheme), a truck (the Raftaar scheme), which is supposed to generate income. In keeping with a view of life seen from the front seat of a Maruti Gypsy, the last SDM's pet project was road improvement. In 1994, the state government sanctioned Rs 2.06 crore under the Innovative Jawahar Rozgaar Yojana scheme for a year-long project that concentrated on helping 12 villages in the Alirajpur area. Of this, Rs 1.22 crore (59 per cent) was allocated for road construction; Rs 0.3 crore (14.5 per cent) for education (constructing two school and three hostel buildings); Rs 0.28 crore (13 per cent) for soil and water conservation; and the rest for health cover and drinking water (Pathak 1994). This allocation of funds was sanctioned for a scheme intended to generate employment! Of course, employing people to build roads has always been a time-honoured device in drought-relief programmes. However, while road works provide short-term employment, they do little to address the root causes of poverty and unemployment. Such money could be used much more productively for soil and water conservation schemes which have the potential to create long-term employment and income, using local resources. But the SDM's expert opinion on people's priorities, and his prescription, prevails over the demands of the people themselves.

In a way, road building fulfils a social need, itself a consequence of poverty in Alirajpur. Roads facilitate migration out of the area. As the situation of adivasis deteriorates, their migration to urban construction sites and agricultural fields in neighbouring Gujarat has increased. The SDM's project proposal says as much: 'The common feeling was that with a good road, public transport would increase and people could go out of the area for employment, as well as take their meagre exportable surplus outside' (Pathak 1994: 9; emphasis added). In the absence of adequate state investment for making the Alirajpur agricultural economy more productive, adivasis have no recourse but to labour elsewhere. In the summer, in some parts of Alirajpur that do not have access to forests, entire villages may be found deserted but for a few elderly people. Bhils and Bhilalas have traditionally migrated during times of famine; but now they migrate every year, in much larger numbers, travelling further and staying away longer. State tribal development programmes have not helped them survive; 'nevad' has.

IV

State Management of Forest

When the administration blames adivasis for destroying the forest through practices like 'nevad' and tries assiduously to stop them, it chooses to ignore its own record of

forest degradation. All over India, the government has continued the colonial policy of managing the forest for maximising its own short-term profits, without respecting the rights of local communities to use the forests for subsistence (Gadgil and Guha 1992). In Alirajpur, commercialisation of the forest started after 1869, when the princely state of Alirajpur, ruled by Rajputs, was placed 'under the superintendence' of a British Political Agent. Before that, the forest was left to the adivasis. As the term 'nevad' (literally 'new field') indicates, adivasis in Alirajpur seem to have been shifting cultivators who were free to move from one place in the forest to another. As long as they fulfilled their obligation of free labour for the king, and paid up their taxes (calculated as a fixed rate per plough), they could use the forest for meeting their subsistence needs.

Around 1870, adivasis were 'encouraged' to stop 'dahia' (shifting cultivation) and settle down. Guha and Gadgil observe that '... almost without exception, colonial administrators viewed [shifting cultivation] with disfavour as a primitive and unremunerative form of agriculture in comparison with plough cultivation. Influenced both by the agricultural revolution in Europe and the revenue-generating possibilities of intensive (as opposed to extensive) forms of cultivation, official hostility to [shifting cultivation] gained an added impetus with the commercialisation of the forest. Like their counterparts in other parts of the globe, British foresters held [shifting cultivation] to be the most destructive of all practices for the forest, not the least because it competed with timber operations' (Guha and Gadgil 1989: 152).

Earlier there had been no clear demarcation between revenue and forest land and administration of both was vested in the same official. Within the jurisdiction of his village, the headman gave permission for expanding cultivation. With the tightening of colonial rule, the authority of the headman to permit fresh clearings in the forest came to be abrogated and was instead vested with state officials (Nath 1960: 27). In the process, property rights were sharply redefined. However, in the more remote parts of Alirajpur, such as Mathvad, customary rights continued to be respected. The ruggedness of the terrain and the absence of roads limited the extent to which forests could be exploited for timber. As long as the state received its due, the thakur turned a blind eye to 'nevad', the expansion of cultivation. Without competition from large-scale state-sponsored deforestation and the pressure of increasing population density, 'nevad' could remain politically and ecologically tolerable. It must be emphasised, though, that Alirajpur was unusual in its geographic isolation, which insulated it for almost 100 years from the widespread commodification of the forest that occurred around this time.

From being an intrinsic part of peasant agriculture, forests came to be inserted into a commercial economy which sharply undermined the ecological basis of subsistence agriculture, hunting and gathering. While adivasis were being increasingly excluded from the forest and their customary use rights restricted, in most places this was not justified by the British on grounds of environmental protection, for no policy of conservation was instituted. Land was leased to contractors whose activities turned vast tracts of forest into semi-barren land (Aurora 1972: 87). Indian teak was extensively used in ship-building for the royal navy in the Anglo-French wars of the

early nineteenth century and by the merchant ships in the later period of maritime expansion, as a substitute for the depleted oak forests of England and Ireland (Guha and Gadgil 1989: 145). The expansion of the railways (1870–1910) for the movement of troops and trade in the subcontinent also resulted in widespread destruction of the forests for manufacturing sleepers. The British 'reservation' of the forests for then-own use resulted in large-scale felling in this region too. In the summer of 1877, 'though the [Narmada] was unusually low, a flotilla of 625 logs and 6,000 rafters was, after a month's passage, safely and without incident floated from the north-east of Akrani to Broach [Bharuch], where it fetched more than three times the amount spent on felling, dragging, and floating it down' (KG 1880: 9).

Under the British, land was surveyed and new tax rates fixed on the basis of size and quality of landholding, not per plough or on the basis of ability to pay as had earlier been the case. As a result, state receipts from land revenue went up by 50 per cent. Colonial efforts to survey and enumerate, ostensibly to aid good governance, invariably ended up to their monetary advantage as well. The administrators made strenuous efforts to know in order to tax and take away; only vociferous objections from the populace held them in check. In Alirajpur, to this end, the Native Superintendent wrote, '... I am of the opinion that all the Mangoe [*sic*] and Mowa trees within the Rajpore state should be enumerated and registered in a Book, which will prove of service when some disputes arise about possession. Also, it is possible, when all the trees have been enumerated, that a tax, which will be deemed fit, may be levied' (NAI[5] 1870).

With this view, measures were adopted to ascertain the total number of trees, but the work was stopped when the Bheel Agent was informed of the cultivators' 'displeasure'. The superintendent went on dismissively, 'On this, I minutely inquired into the matter and informed Captain Cadell that they were not at all displeased on account of the trees, only they had entertained a doubt, which was removed by discontinuing the enumeration measures. But it is usual that the cultivators grumble and murmur at every new arrangement' (NAI[6] 1870). Similarly, a list of about a hundred local trees and their various uses was prepared in 1894 with a view to their commercial exploitation (NAI[7] 1894).

The methodical mapping of tribal resources—the enumeration of the flora and its consequent exploitation, and the systematic shift to monetary taxation which commercialised agriculture—resulted in enormous deforestation and soil erosion, affecting people's ability to provision themselves on their own. The crushing pincers of the state's revenue exactions and the depletion of natural resources must have made survival even more precarious than usual, necessitating seasonal migration to the fields of Gujarat, Nimar and the Tapti valley in years when famine stalked the land.

Ironically, the only historical evidence of the destruction of forests and its consequences is the immediate and enormous increase registered in the state's income, mainly from land revenue, excise dues and forests. Statistics for Alirajpur state's receipts from 1901–2 to 1937–38 show a three-fold rise in total revenue over a period when the rupee did not change significantly in value. Land revenue

grew from Rs 38,000 in 1901–2 to Rs 2,41,540 in 1937–38, an increase of 635 per cent. Excise receipts rose from Rs 16,000 to Rs 37,521, an increase of 234 per cent. Over the same period, the forest department registered the greatest rise, mainly from massive deforestation and the sale of timber; while it had generated Rs 11,000 in 1901–2, in 1937–38 it produced Rs 1,13,564—an increase of 1,032 per cent. Expenditure statements show that a good third of this revenue went to the maintenance and expansion of police and revenue collection agencies (Aurora 1972: 82).

The dominance of commerce and colonial administration over the tribal hinterland was spatially represented by the emergence of towns at places where 'haats' (weekly markets) were held. According to traders in Valpur and Chhaktala (towns in Alirajpur tehsil), the institution of the 'haat' has existed since known times, but all the present permanent traders are immigrants who settled there four or five generations ago (ibid: 69). The 'haat' metamorphosed into small towns which were locations of institutions of political authority as well as points in the trade of produce. These towns served as nodes which channelled regional surplus into a national market. Forest produce such as timber, lac, mahua flowers, for example, would go from the 'haat' 'to Dohad (Panch Mahals) and Kukshi (Dhar), the nearest foreign markets' (Luard 1908: 604).

After 1947, when India became free, the kingdom of Alirajpur merged with independent India as a constituent of the state of Madhya Bharat. Jhabua district was constituted in 1949 and Alirajpur became a tehsil within it. Almost the first act of the new regime was to order a detailed land survey for permanent settlement. Titles to land were issued, soil types were assessed, and regular rates of land revenue were fixed. For the adivasis, land settlement was simply land alienation. Enumeration left out many 'nevad' holdings, either because they were too high up in the hills for surveyors to check comfortably, or because their adivasi owners had not paid adequate bribes to the patvari. Other adivasi rights to the forest were also curtailed, leaving only limited rights of usufruct which were channelled through 'nistar' depots run by the forest department. Thus adivasis were supposed to approach the forest department for their every need instead of going directly to the forest.

With the passing of power into the hands of the Congress nationalists after independence, the state embarked upon the project of 'development'. The independent state's agenda of progress called for accelerated industrialisation and modernisation together with a populist 'welfare' component in the form of anti-poverty programmes. The state was charged by the Constitution to 'promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the scheduled castes and scheduled tribes, and [to] protect them from socialinjustice and all forms of exploitation' (GoI 1978: 4).

To this end, Jhabua district was declared a scheduled area in 1950, and Bhils and Bhilalas were classified as STs by 1956 (NCAER 1963: 191). Welfare measures such as ashrams (residential schools), income generation schemes such as the Integrated Rural Development Programme (IRDP), and government-controlled co-operative societies were started. However, most government programmes consisted

of handouts in times of distress, especially during drought, which failed to address the underlying causes of adivasi impoverishment. Tribal rights to the forest remained unrecognised; their continued alienation from the land base upon which they depended for sustenance precluded any opportunity for genuine gains in power and prosperity.

This is not surprising when we examine the overall framework of the national policy for tribal areas and tribal communities in the country. According to the Report of the National Council of Applied Economic Research, the aim of the policy

> ... is to integrate the tribal communities within the body politic of the nation. This is sought to be achieved through raising the standard of living in the tribal areas to that in the rural areas of the country. Since the tribal areas are exceptionally backward and primitive, welfare of the people living therein is sought to be achieved through some measures of protection during the next 20 years. This protection is in respect of seats in Parliament and legislatures, reservation in services of all types and categories, educational benefits and economic protection. The aim of the government is to level up the tribal communities without unduly damaging their social structure or interfering with the way of their lives (NCAER 1963: vi).

To this lofty end,

> ... top priority has been given to a programme of rapid industrialisation and extension of means of communication to the most interior regions in the state. Our firm view is that the development of land and agriculture alone will not be adequate for the rehabilitation of the tribal communities. Agricultural land is insufficient and cannot serve the needs of even half the tribal population of the state. Fortunately, the tribal areas of the state are rich in industrial and power potential. There is no reason why in the wider interest of the nation and in the long-term interest of the tribals themselves, industries should not be developed and localised in tribal areas (ibid).

In the 'wider interests of the nation', the state has exercised its prerogative of claiming eminent domain—the greater good of the people—to pre-empt resources for itself. Yet, the pursuit of these policies has brought about rapid exploitation of natural resources in tribal areas, violating the interests of dispossessed adivasis. Between 1951 and 1976, 4,79,100 ha of forest were lost to river valley projects, and another 1,27,200 ha to establish industries (Gadgil and Guha 1992: 196). The colonial policy of 'scientific forestry' has become even more profitable after independence as industrial demand for wood has escalated.[8] In Madhya Pradesh, the state government recently announced that it will turn over degraded forest land to private industry for planting trees for their own use. It is well known that it is primarily the rural poor who depend on these degraded commons for fodder and fuel (Jodha 1994). Their replacement by private timber and softwood plantations will further reduce villagers' access to resources essential for survival. The acceleration of extraction has been matched by the expansion of administrative control to further restrict adivasi use of the land and the forest. These regulations have become the source of a steady stream of remuneration for petty officials who browbeat adivasis who break the law into the submission of bribes and 'gifts' of omission. Meanwhile,

the forest department, legendary in its corruption, colludes with timber merchants to decimate the forest.

FOREST MANAGEMENT TODAY

Aurora quotes the administrative report of Alirajpur state for 1939–40 which states that 'about half the area of the state is under forests, of which 289 square miles is reserved forest and 149 square miles is unreserved forest' (Aurora 1972: 59). But even in 1939, much of this forest had been degraded due to timber extraction by the forest department. Since 1939, further areas were felled for timber as well as cleared for agriculture. The history of Alirajpur shows that forests were used primarily by the state to generate revenue for itself; an orientation that is reflected in present-day management practices as well.

By reserving the best forests for commercial timber, the forest department has closed off local people's access to the forest for meeting their subsistence needs. The village forests and pastures that would otherwise have met some of people's needs were anyway either destroyed or classified as reserved. In this way, the problem of 'biotic interference' is a creation of the management strategy adopted by the forest department which focuses on growing uniform crop and age timber forests. As M. N. Buch explains, 'Had the forests consisted of the mixture designed by nature, with ground flora serving the needs of cattle, the lower and middle storeys serving the needs of the people in the matter of fuel and timber and the upper storey serving both environmental requirements and timber needs, even biotic intervention would have caused only a minimal damage to the forests' (Buch 1991: 59).

The mandate of 'environmental conservation' has been given into the hands of a bureaucracy that has so far managed the forest for profit, both public and personal. It is now expected that forest officials, who have so far only been trained to measure diameter at breast height (DBH) and determine if a tree is ready for felling or not, will be competent judges of the ecological 'carrying capacity' of the forest. The orientation of the forest department has been towards maximum exploitation of the forest; there has been no evidence so far that the forest department has the knowledge, skills or sympathies to manage the forest for their conservation. Judgments about 'carrying capacity', an ecological concept that, in any case, is extremely hard to operationalise, will be made by forest officers who have the power to deny all long-standing rights and claims of local communities.

The draft Forest Conservation Act continues to have the same deadly bias that the existing Indian Forest Act contains: it entrusts the task of conservation into the hands of an organisation that lives off the forests and the adivasis. The official discourse on 'nevad' and 'biotic interference' chooses to disregard the unofficial transactions to which it has given rise. From the legal sanctions against adivasis' use of the forest derives the power of forest officials; the act has sown the seeds of a thriving corruption. People can have access to the forest, but for a price, usually payable in cash, fowl, ghee. If the forest department were to really cordon off the forest for conservation, this steady stream of income would dry up.

Another stream of unofficial transactions that would end if the mandate of environmental conservation were implemented in earnest is smuggling. The illegal sale of wood by forest department officials and contractors working together has been common in the better forested parts of Alirajpur. A more recent trade is smuggling 'halai' resin, trade in which is banned. In May 1994, a consignment of resin valued at Rs 2 lakh was intercepted by the Gujarat authorities outside the Alirajpur border. The smuggler in question was chagrined; his seth (financier-boss) reportedly paid Rs 20,000 per month to the Madhya Pradesh and Gujarat forest department checkposts to let his stuff go through unharmed. The previous year, when another consignment had been stopped on the state border, the smuggler negotiated an ingenious compromise: instead of confiscating and fining him on the basis of the value of resin in his truck, the forest department officials allowed him to remove the resin originally intercepted and replace it with inferior quality stuff so that the value of the consignment and, therefore, the fine payable on it would be considerably reduced. This generosity, of course, was made possible because of the fat bribes given by the seth to the forest officials. Conservation, properly implemented, would put an end to these mutually advantageous arrangements.

Since it is in the interests of the forest department to retain control over the forest, schemes for power-sharing with adivasis have never really got off the ground in Alirajpur. The Hitgrahi Yojana—a scheme in which forest land is leased to landless tribals for growing forest crops—was implemented in the mid-1980s as a compromise solution to the problem of 'nevad'. The entire cost of afforestation was to be met by the forest department, with a monthly cash grant being given for five years to support the adivasi till the forest crop matured. Adivasis were to have the right to the usufruct of the entire crop, including the corpus of the trees as may be grown and harvested. With the intervention of the Khedut Mazdoor Chetna Sangath, some villages of Alirajpur were involved in this scheme. People planted tree crops on some of their 'nevad' land, but their initial mistrust of the government was borne out when the promised monthly payments stopped after three or four months. After initiating the scheme, the government aborted it by providing inadequate funds. The Hitgrahi Yojana and other failed afforestation schemes such as the community woodlot programme (Chambers et al. 1989: 164) are precursors of Joint Forestry Management (JFM) schemes which, after succeeding in West Bengal, are being tried out in Hoshangabad and Jhabua districts in Madhya Pradesh. Whereas JFM has elicited enthusiastic popular participation in West Bengal (Viegas and Menon 1993), in Alirajpur the forest department has formed village forest protection committees without holding proper village meetings, selecting office bearers at will (Banerjee 1993). Villagers have gained from temporary wage employment, but there has been no meaningful participation or sharing of power. JFM in Alirajpur also seems to have gone the way of other government programmes.

Conclusions about Future of Conservation

We have seen that the forest department's efforts to protect forests have inherent contradictions and limitations which have brought about the present crisis in forest

management. If power is further concentrated in the hands of the government, as the draft Act proposes to do, then the problem of forest degradation will be made infinitely worse. At present, there are few mechanisms to check the abuse of power by the forest department; increasing power without an accompanying system of outside control would place the forests and the people entirely at the mercy of the state. What then would be a better approach to ensure that the objective of environmental conservation is achieved? How would sharing power with adivasis show a way out of the environmental crisis?

The adivasis of Alirajpur are today living on the edge, forced to cultivate 'nevad' fields on fragile hill slopes and collect forest produce in order to avoid migration in search of work. They continue to be heavily dependent on the forest for their survival. Because adivasis have no security of tenure, and live under the constant threat of eviction, they cannot invest in improving their land. Their poverty prevents them from planting tree crops that have a long gestation period, and the illegality of their position precludes their receiving loans from the government for making agriculture more productive. Since adivasis' rights to the forest are not recognised, they have no stake in protecting it from the depredations of the forest department or from outsiders.

The first step towards recognition of adivasis' rights must be a comprehensive survey to systematically map all rights, claims and existing uses of the forest by adivasis. At present, rights are exercised on an *ad hoc* basis, as concessions grudgingly granted by the forest department. Adivasis have no guarantee that they will be allowed access to the forest on a regular basis. Therefore, we urgently need a 'forest settlement', not to 'extinguish' or 'commute' rights, as the draft Act intends to do, but to recognise and incorporate them into a management strategy, into institutions and practices of participation. Secured access to the forest is a precondition for eliciting popular participation for environmental conservation. This implies that the state must also take the bold but essential step of settling legitimate 'nevad' cases. Ignoring the problem or trying to suppress it will impoverish the forest as well as the adivasis. And we must remember that it is adivasis who have a pre-eminent right to the forest, and not the state.

But regularisation of 'nevad' alone is not enough. Merely granting adivasis security of tenure and improved access to the forest does not equip them to improve the land or the forest. Considerable investment must be made for environmental conservation programmes to succeed. In addition, there has to be greater co-ordination between environmental conservation and tribal development programmes. Tribal development, which is presently a moribund affair, benefiting only the bureaucracy, has to be integrated with environmental conservation so that adivasis have a chance to create sustainable, self-reliant livelihoods for themselves. Both channels of state intervention—forest policy and tribal development policy—will only work if they articulate and address adivasis' felt needs. Such sensitivity has never been a distinguishing feature of top-down government policies; only when adivasis have acted politically has the state administration been forced to improve itself.

A group of villages in Alirajpur have demonstrated that the potential gains from political action in combination with environmental conservation work are infinite. The villagers of Attha, Gendra and Umrath have been active in the Sangath for several years. Their organisation into the Sangath, together with hundreds of other villagers, has allowed them to safeguard access to their 'nevad' fields. This collective sense of security has enabled them to invest in soil and water conservation measures on a large scale. Through a slow process of trial and error, people have tried to evolve a conservation strategy that works best for them. The Attha efforts are not perfect; activists' and villagers' interest and participation have flagged at times. But, despite the many setbacks, the achievements are there for all to see.

Work through the Sangath has concentrated on two fronts: improving 'nevad' fields and managing the rest of the forest for sustainable fodder yields. Labour collectives have worked on bunding and gully plugging to prevent soil erosion from the fields. One year, villagers ran a nursery to grow saplings for planting. When they found that trees planted in 'nevad' fields did not do well because they needed too much tending, people chose more manageable sites close to their houses. Since people could select tree species and plantation sites that best met their particular needs (field boundaries or close to their houses), survival rates were high, in stark contrast to the failed plantation work of the forest department. People have adopted innovative crop-mixes, combining bamboo and pulses for instance, and invested considerable labour and thought to use the land to optimal advantage. Since such conservation started, some 'nevad' fields have become showpieces worthy of any pampered agricultural extension station. Villagers have collectively decided which parts of the forest should be closed to livestock to allow regeneration. They found that trying to save more distant patches of forest was harder; not only were they difficult to guard, but the competing claims of other villages often led to quarrels. Instead, people chose to cordon off forests close to their fields which are easier to monitor. People take turns to regularly patrol the closed-off area. The increased fodder output is shared among the members. People have now also started planting trees on forestland. The only response of the forest department to this initiative has been to file a 'panchnama', recording this 'offence'.

Why has Attha succeeded where others did not even try? One reason could be the increasingly acute scarcity of forest produce around Attha which forced people to initiate action themselves. Gondvani and Vicholi are two villages near Attha (not members of the Sangath) which started planting bamboo on their land since bamboo disappeared from the forest. Other villages in the Sangath, which do not face such an acute forest crisis, have contented themselves with protecting particular species or patches of forest. For instance, Bhitada and Nadi Sirkhadi, villages on the banks of the Narmada, stopped using 'Anjan' trees, which had been lopped mercilessly and have consequently been rewarded by tremendous regeneration. While scarcity is a factor in explaining interesting conservation, income is another (Chambers et al. 1989). Wherever people have earned from conservation, they have invested in it. Attha has reaped the benefits of conservation through increased supplies of fodder, wood and bamboo. But even a village like Khodamba, surrounded by dense and

apparently abundant forests, has started protecting species like 'halai', which yields an aromatic resin that fetches handsome prices.

The change of attitude that underlies these initiatives is all the more remarkable when we remember the centuries of state control during which adivasis have often internalised the dominant ideology that they have no right to the forest. Physical and political alienation had created profound psychological alienation. After years of being made to feel like trespassers in their own homes, it requires a sea change in their-perceptions for them to think that they have a stake in the future of the forest.[9] Even within the Sangath, this transformation of consciousness has been slow in coming. But wherever people have started protecting the forest, they have fiercely defended it against outsiders. The villagers of Khodamba, for example, have resolutely denied access to people from other villages. In Khodar village, a Sangath member has single-handedly protected the forest adjoining his fields. Since he has laboured to take care of it, he regards it as his own. Now, it is the forest department which is coming to be regarded as the interloper, not the adivasi.

The Attha example demonstrates people's preference for an approach where they have control over the conservation programme and where their rights are secured. However, a small financial base prevents them from expanding the scale of activity, and from undertaking works that require more bought materials (for water harvesting, for instance). People would like to travel to other places to learn from the experience of NGOs such as the Aga Khan Rural Support Project or Sadgum Water and Development Foundation in Gujarat. But while the SDM can bring Rs 2 crore to build roads, the adivasis of Alirajpur have to protect the forest and the land on their own. An organisation such as the Sangath can create a small island in Attha to show what is possible. But for all the adivasis in the Sangath, and for all the adivasis in India, such a transformation of the forest and of their own lives is possible only when political control is combined with control over the resources now commanded by the state.[10]

If the ministry of environment and forests (MoEF) takes its mandate of environmental conservation at all seriously, it will have to shed its unwillingness to facilitate people in doing tilings their own way, with their priorities foremost. Besides surrendering power over the forest into the hands of those who have a much greater right to it, the ministry must ensure that development resources are invested into this process. This requires legislative initiatives as well as administrative enterprise. The fate of the forest and the fate of adivasis are linked. As long as adivasis continue to be exploited and impoverished, so will the forest. The cause of conservation is inseparable from the cause of making adivasis' lives more secure, sustainable and prosperous. For environmental conservation, popular struggles have to be met half-way by an enlightened state. The ministry has previously shown its appreciation of these perspectives by encouraging fledgling efforts towards participatory forest management. It must not now fritter away its gains through a retrogressive act.

Notes

1. *Madhuca indica*, or 'mahua' (in Hindi) holds a pre-eminent place in Bhilala culture, just as it does for adivasis all over central India. In the months of March and April, the white-green fleshy flowers of the 'mahua' fall to the ground and are collected and dried. They are used in cooking, relished as much for their sweetly pungent flavour as for their nutrients; but they are valued even more for the 'iiuru' (liquor) that is distilled from them, a clear, delicately potent brew. No ritual occasion can go unmarked by the ceremonial partaking of 'hum'. The fruit of the 'mahua' yields an oil that tastes rather like ghee.

2. The sole exception to tins has been a shortlived scheme called the Hitgrahi Yojana, which we will discuss later.

3. For a fuller account of this incident, see Baviskar (1994).

4. Recently, such a confrontation occurred in Chikhli village, Dhar district, adjoining Jhabua. The forest department tried to forcibly plant trees on Chikhli's traditional grazing land, classified as 'culturable waste' by the revenue department. Representations to the tehsildar asking that the land not be turned over to the forest department were ignored. On 17 May 1994, on hearing that forest department officials had arrived with labourers to start plantation work, people rushed to the spot. The range officer fired in the air to disperse them, then incited the labourers to throw stones at the villagers. Police intervention broke up this fight but, later, villagers were arrested on charges of rioting and intimidation (Shraddha 1994).

5. From the native superintendent of Ali Rajpore to Col. Blair, Officiating Bheel Agent, 27 August 1870, Bhopawar Political Agency. S. No. 16,1/152/1870. NAI.

6. Ibid.

7. Report from the Ameen Alirajpur, 1894. *Yaad sadar aam riyasat Alirajpur. Babad haal darakliat jangal Alirajpur.* NAI.

8. For an excellent account of the way in which forest management has changed since independence, and yet remained the same, see Gadgil and Guha (1992: 185–214).

9. In colonial times, while adivasis were generally excluded from the forest, some practices of the former princely rulers exemplified an understanding of the 'stakeholder approach' to conservation. Raja Pratap Singh (1891–1920) planted mango trees along all major roads in Alirajpur entrusting their care to neighbouring villages, who were then entitled to half the mango crop in exchange for their labours. Today, the produce of these trees is auctioned to the highest bidder and villagers have no interest in caring for the trees.

10. We now have several examples of successful decentralised sustainable development. The achievements of the Chipko movement are famous. More recently, the villages of Ralegan Siddhi in Maharashtra (Pangare and Pangare 1992) and Sukhomajri in Haryana (see Chambers et al. 1989: 155, for sources) have become well known. For other case studies, see Chambers et al. (1989), Singh and Burra (1993), as well as periodic reports in *Down to Earth*, an environmental newsmagazine.

References

Aurora, G. S. 1972. *Tribe-Caste-Class Encounters: Some Aspects of Folk-Urban Relations' in Alirajpur Tehsil.* Hyderabad: Administrative Staff College.

Banerjee, R. 1993. *The Greening of Jhabua: A Critique of Joint Forestry Management Schemes in Jhabua District.* Report prepared for Society for Promotion of Wastelands Development. New Delhi.

recommended by Prof. Gabi Matlow

Baviskar. A. 2004. *In the Belly of the River: Adivasi Battles over Nature in the Narmada Valley.* New Delhi: Oxford University Press.

Buch, M. N. 1991. *The Forests of Madhya Pradesh.* Bhopal: Madhya Pradesh Madhyam.

Chambers, R., N. C. Saxena, and T. Shah. 1989. *To the Hands of the Poor: Water and Trees.* London: Intermediate Technology Publications.

Gadgil, M., and R. Guha. 1992. *This Fissured Land: An Ecological History of India.* New Delhi: Oxford University Press.

Government of India (GoI). 1978. *Provisions in the Constitution of India for Scheduled Tribes.* New Delhi: Ministry of Home Affairs.

____. 1981. *Census of India 198h Series 11—Madhya Pradesh.* Part XIII-A. Village and Town Directory. Jhabua district: District Census Handbook.

Guha, R. 1994. 'Forestry Debate and Draft Forest Act: Who Wins, Who Loses?' *Economic and Political Weekly.* 20 August.

Guha, R., and M. Gadgil. 1989. 'State Forestry and Social Conflict in British India'. *Past and Present: A Journal of Historical Studies.* No. 123.

Jodha, N. S. 1994. 'Common Property Resources and the Rural Poor'. In *Social Ecology*, ed. R. Guha. New Delhi: Oxford University Press.

Khandesh Gazetteer (KG). 1880. *Gazetteer of the Bombay Presidency.* Vol XII. Bombay: Government Central Press.

Luard, C. E. 1908. *Central India Gazetteer Series: Western States (Malwa).* Vol V. Part A. Bombay: British India Press.

Nath, Y. V. S. 1960. *Bhils of Ratanmal: An Analysis of the Social Structure of a Western Indian Community.* Baroda: The M S University of Baroda.

National Council of Applied Economic Research (NCAER). 1963. *Socio-Economic Conditions of Primitive Tribes in Madhya Pradesh.* New Delhi: NCAER.

Pangare, G., and V. Pangare. 1992. *From Poverty to Plenty: The Story of Ralegan Siddhi*, New Delhi: Indian National Trust for Art and Cultural Heritage (INTACH).

Pathak, S. 1994. 'Mathwar Area Development Project'. Mimeo.

Shraddha. 1994. *Gavleen Gatha: Adivasi Astitva ki Ladai* ('Battle for Tribal Existence'). Press Release Issued by Sarvodaya Press Service, Indore.

Singh, A. M., and N. Burra, eds. 1993. *Women and Wasteland Development in India.* New Delhi: Sage Publications.

United Nations Development Programme (UNDP). 1992. *Human Development Report 1992.* New York: Oxford University Press.

Viegas, P., and G. Menon. 1993. 'Bringing Government and People Together: Forest Protection Committees of West Bengal—Role and Participation of Women'. In *Women and Wasteland Development in India*, ed. A. M. Singh and N. Burra. New Delhi: Sage Publications.

Vohra, B. B. 1980. A *Policy for Land and Water.* Sardar Patel Memorial Lectures, Department of Environment, Government of India.

Unpublished Sources

National Archives of India (NAI), Foreign Department.

National Archives of India (NAI), Bhopawar Political Agency.

Authors

K. Balagopal was a human rights activist and lawyer based in Hyderabad. He was known for his work on issues of civil liberties and human rights. He died in 2010.

Amita Baviskar is Associate Professor of Sociology at the Institute of Economic Growth, Delhi.

Sohel Firdos is Assistant Professor, Department of Geography and Natural Resources Management, Sikkim University.

Madhav Gadgil is an ecologist who has worked extensively on issues of forest and wildlife management, as well as on people-nature relationships and traditional practices of conservation and prudent use.

Ramachandra Guha is a well-known historian. He lives in Bangalore.

Asmita Kabra is Associate Professor, School of Human Ecology, Ambedkar University, Delhi.

Govind Kelkar is with UN Women, South Asia, New Delhi.

K. Anil Kumar is Assistant Professor at the Centre for Economic and Social Studies (CESS), Hyderabad.

Sanjeeva Kumar belongs to the Indian Administrative Services (IAS). He has served in the north-eastern states of Assam and Meghalaya for many years.

Renu Modi is Senior Lecturer and former Director of the Centre for African Studies, University of Bombay.

B. B. Mohanty is Professor and Head, Department of Sociology, Pondicherry University.

Indra Munshi retired as Professor, Department of Sociology, University of Bombay.

B. Nagnath is currently Divisional Forest Officer in Adilabad District of Andhra Pradesh.

Dev Nathan is Visiting Professor, Institute for Human Development, New Delhi, and also Visiting Research Fellow, Duke University, Durham, USA.

Sagari R. Ramdas works with 'Anthra', a resource group that works on gender, livelihoods and environmental issues.

60135/113.
R.1750.00.
125112
135(1) 1418
C4/13D-86207

NATIONAL LAW SCHOOL OF INDIA
UNIVERSITY LIBRARY
NAGARABHAVI, BANGALORE - 560 072.
This book must be retumed by the date stamped below

P.T.O.

Acc No : 033503
Price : ES
Rs : 750/-
"Narayan Rao Melgiri National Law Library" Bangalore

Continued from front flap

35500
305.800954 MUN
35500

rests, the state's
cies, and the Forest
implications. It
erspectives in the
form of case studies specific to
different regions and provides valuable
analytical insights.

Bringing together contributions by
well-known sociologists, historians
and environmental activists, this
book will be an indispensible read
for students and scholars of sociology,
anthropology, environmental studies,
political science, and policy-analysts.

shi retired as Professor,
t of Sociology, University

305.800954
Cl.No. MUN
Author Munshi
305.800954
MUN
35500

tesy of The Hindu Photo Archives
Photograph by K. Ananthan

Cover design: OSDATA, Hyderabad

Other Titles in the Series

PUBLISHED

Economic Reforms and Growth in India
Ed. Pulapre Balakrishnan

Environment, Technology and Development: Critical and Subversive Essays
Ed. Rohan D' Souza

Village Society
Ed. Surinder S. Jodhka

FORTHCOMING TITLES

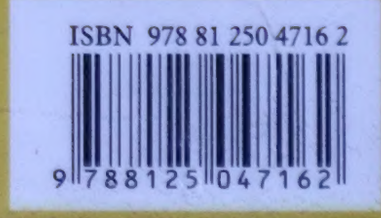
Women and Work
Ed. Padmini Swaminathan

Decentralisation and Local Governments: The Indian Experience
Ed. T. Raghunandan

Orient BlackSwan
₹.750

Orient BlackSwan

EPW

www.orientblackswan.com

ISBN 978 81 250 4716 2